

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
GO GLOBAL RETAIL, LLC,

Plaintiff,

-against- Index No. 1:23-cv-07987

DREAM ON ME, INC. and DREAM ON ME INDUSTRIES,

Defendants.

- - - - - X

October 24, 2024
10:00 a.m.

DEPOSITION of AMIT

MALHOTRA, a witness for the Defendant herein,
taken by the attorney for the Plaintiff,
pursuant to Notice, held via web conference,
on the above date and time, before Jennie
Kilgallen, a Stenotype Reporter and Notary
Public within and for the State of New York.

1

2 A P P E A R A N C E S:

3

4 FALCON, RAPPAPORT & BERKMAN, PLLC
Attorneys for the Plaintiff
5 265 Sunrise Highway - Suite 50
Rockville Centre, New York 11570

6

7 BY: STEVEN BERLOWITZ, ESQ.
sberlowitz@frblaw.com

8

9 GREENBAUM, ROWE, SMITH & DAVIS, LLP
Attorneys for the Defendant
10 75 Livingston Avenue
Roseland, New Jersey 07068

11

12 BY: THOMAS MURPHY, ESQ.
tmurphy@greenbaumlaw.com

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FEDERAL STIPULATIONS

IT IS HEREBY STIPULATED AND AGREED, by
and between the parties hereto, through their
respective Counsel, that the certification,
sealing and filing of the within examination
will be and the same hereby waived;

IT IS FURTHER STIPULATED AND AGREED that
all objections, except as to the form of the
question, will be reserved to the time of the
trial;

IT IS FURTHER STIPULATED AND AGREED that
the within examination may be signed before
any Notary Public with the same force and
effect as if signed and sworn before the
Court.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

THE COURT REPORTER: It is hereby stipulated and agreed to by and between counsel for all parties present that this deposition is being conducted remotely by video conference, and that the court reporter, witness and all counsel are in separate remote locations and participating via Zoom or any web conference meeting platform under the control of the court reporting agency.

It is further stipulated that this video conference will not be recorded in any manner and that any recording without the express written consent of all parties shall be considered unauthorized, in violation of law and shall not be used for any purpose in this litigation or otherwise.

Before I swear in the witness, I will ask each counsel to stipulate on the record that I, the court reporter, may swear in the witness even though I am not physically in the presence of the witness and that there is no objection

1

2

to that at this time nor will there be
any objection at a future date.

3

4

All attorneys state they have no
objection or so stipulated?

5

6

MR. BERLOWITZ: I consent.

7

8

MR. MURPHY: I consent as well for
defendants.

9

10

THE COURT REPORTER: Counsel, can
you represent to the best of your
knowledge and belief, that the witness
appearing today via web conference is,
in fact, Amit Malhotra?

11

12

13

14

MR. MURPHY: Yes, I can.

15

16

(Whereupon, the Witness presented a
NJ State driver's license.)

17

A M I T M A L H O T R A ,

18

19

20

The witness herein, having been first duly
sworn remotely by a Notary Public of the State of
New York, was examined and testified as follows:

21

22

THE COURT REPORTER: May we have
your name for the record, sir.

23

THE WITNESS: Amit Malhotra.

24

25

THE COURT: And your address for
the record.

1 A. Malhotra

2 THE WITNESS: 6607 Winterbery
3 Drive, Austin, Texas, 78750.

4 EXAMINATION BY

5 STEVEN BERLOWITZ, ESQ.:

6 Q. Good morning Mr. Malhotra. My name
7 is Steve Berlowitz and I am from the law firm
8 of Falcon, Rappaport & Berkman. I represent
9 the plaintiff Go Global Retail in the matter
10 of Go Global Retail versus Dream On Me
11 Industries and Dream On Me, Inc.

12 Have you ever been deposed before?

13 A. No.

14 Q. I'm going to go over a few ground
15 rules to help streamline the process.

16 So this deposition is being
17 stenographically recorded. It is not being
18 videotaped though. The court reporter is
19 going to take down my questions as well as
20 your responses. What she can't take down are
21 nonverbal responses such as a shrug or even
22 an uh-hum.

23 So my request to you is that please
24 answer all questions verbally and not with
25 physical movements so the court reporter can

1 A. Malhotra

2 record your response. Do you understand
3 that?

4 A. Yes.

5 Q. Please wait until I've finished
6 asking my question before answering and I
7 will do the same with your answer. Do you
8 understand that?

9 A. Yes.

10 Q. If you need to have a question
11 repeated, please let me know and I can have
12 the court reporter repeat it back to you and
13 I can also rephrase the question if you do
14 not understand. Do you understand that?

15 A. Yes.

16 Q. Please let me know if you don't
17 understand a question. If you do answer, I
18 am going to assume that you do understand the
19 question. Do you understand that?

20 A. Yes.

21 Q. Please also just let me, if you
22 need a break I'm happy to give you one.
23 Please note you cannot take a break while a
24 question is pending so I would just ask that
25 you answer the pending question before we

1 A. Malhotra

2 take a break. Do you understand that?

3 A. Yes.

4 Q. You understand that you are
5 testifying under oath and under penalty of
6 perjury, right?

7 A. Yes.

8 Q. And have you ever been a plaintiff
9 or a defendant in another lawsuit before?

10 A. No.

11 Q. Have you ever been arrested or
12 convicted of a crime?

13 A. No.

14 Q. Have you ever testified as a
15 witness in another lawsuit before?

16 A. No.

17 Q. Are you taking any medications that
18 might affect your memory or your ability to
19 testify truthfully today?

20 A. No.

21 Q. I see you're wearing glasses. I'm
22 going to be sharing documents on the screen
23 that I'm going to ask you questions about,
24 those documents. Is there anything that's
25 going to prevent you from reading those

1 A. Malhotra

2 documents on your screen this morning?

3 A. No.

4 Q. I'll obviously zoom in and, you
5 know, navigate the documents for you.

6 A. Okay.

7 Q. Can you please describe your
8 education?

9 A. I have a Bachelor's in information
10 technology and sciences. And I have an
11 executive program from Harvard.

12 Q. I was going to ask where did you
13 get your degrees from.

14 A. So the Bachelor's is from BMS
15 College of Engineering and the Harvard
16 version of an executive MBA, that's from
17 Harvard business school.

18 Q. Do you have any other undergraduate
19 or graduate degrees?

20 A. No.

21 Q. When did you graduate from high
22 school?

23 A. 1990.

24 Q. When did you graduate from college?

25 A. '94.

1 A. Malhotra

2 Q. And did you go straight through to
3 your graduate program after that?

4 A. No, I went in 2011.

5 Q. So --

6 A. That's usually done later.

7 Q. So what did you do after you
8 graduated college?

9 A. I worked at Hewlett Packard for
10 about three years. Then I worked in a
11 company called Trilogy which was a software
12 company.

13 And then do you want me go through all
14 the companies?

15 Q. Yeah, I don't need the most
16 detailed explanation, if you can tell me
17 where you worked and what you did at each
18 place generally that would be helpful.

19 A. It was HP in the operating systems
20 group which a lot of hardcore software
21 programming. Trilogy, bunch of AI, the
22 stuff, expert systems and artificial
23 intelligence at the time. That was one of
24 the first companies sort of doing that.

25 Then it was Core Metrics, one of the

1 A. Malhotra

2 first companies to actually use web tracking.
3 They sort of almost invented the Pixel
4 tracking that is very prevalent now.

5 I did my own startup, first company to
6 go out there, Novella where we basically were
7 tracking purchases made in grocery stores and
8 married it to the health of what people are
9 sort of -- nutritional content, what people
10 are actually buying and doing that.

11 After that I worked in a company called
12 Backbone Software which was a spinoff of AT&T
13 in data protection and we had customers like
14 Facebook, Yahoo and I worked closely with Net
15 App, very large companies, a lot of what you
16 see in data center software.

17 2010 I joined the advisory board company
18 which is Optum United right now where I
19 developed basically a platform to connect
20 their 45 acquisition centers in the health
21 care space.

22 After that I worked with BP3, sort of a
23 midsize software company in area of process
24 automation and cognitive -- basically all of
25 older versions of what AI is right now.

1 A. Malhotra

2 I also after that I worked with a
3 private equity firm called ESW for a few
4 years. We were acquiring companies and
5 basically putting those together in a sort of
6 a suite. Those companies were in different
7 sectors like retail, health care. I got a
8 chance to work with a lot of large
9 organizations, Apple, Cleveland Clinic,
10 Gatorade, some energy. I did my own startup
11 in health care that's still running called
12 Continuity Care.

13 Then I worked -- I started getting more
14 and more into doing diligence work. I worked
15 with Advent International in multiple deals
16 and acquisitions and I also had some previous
17 experience from working with ESW on that.

18 And then I worked as part of KKR which
19 owns 1-800 contact which is very large
20 organization. I was the CTO there for a
21 while and that was sort of what I was doing.

22 Then I came across the opportunity for
23 Dream On Me or buybuy BABY sort of came by
24 and that was to help with the diligence and I
25 started looking into it and I got sucked into

1 A. Malhotra

2 it. It just became -- it was so big, it was
3 so much bigger because ultimately the
4 challenge was to understand -- buybuy BABY
5 was actually part of Bed, Bath & Beyond so
6 there was no way to like take it out. You
7 had to understand all of the ecosystem of
8 Bed, Bath & Beyond to understand what would
9 buybuy BABY be.

10 So that's a quick summary. I may have
11 left some pieces out.

12 Q. That's fine. I believe working for
13 Dream On Me, when did you start at Dream On
14 Me?

15 A. In May. In May.

16 Q. In May of what year?

17 A. '23.

18 Q. Do you still work there?

19 A. No.

20 Q. When did you leave?

21 A. End of last month, so as of
22 October 1.

23 Q. And why did you leave?

24 A. Dream On Me or buybuy BABY -- well,
25 I worked for buybuy BABY Acquisition so I

1 A. Malhotra
2 wasn't actually -- so they were -- the
3 initial outreach was when buybuy BABY didn't
4 exist. Then when I ended up joining and I
5 was working, then I was working at buybuy
6 BABY, to just make it clear, because by that
7 time the company had formed.

8 So the reason I left is because right
9 now buybuy BABY is on a very different path.
10 My objective there was to actually work with
11 them until the end of 2023 to basically set
12 them up, get the team going.

13 And, you know, so they were operational.
14 They had the platform. They had everything
15 to, you know, sort of move them forward.

16 Mark asked me to stay sort of a little
17 bit longer, a little bit longer. By the time
18 of September, the end, it didn't make any
19 sense for me to be there because they were
20 developed, set up in the path they're doing
21 and right now they're, you know, whatever
22 they're focused on, it's moving to a
23 digital -- all the components are there.
24 Unless they're doing a big lift or moving in
25 a different direction I'm not needed.

1 A. Malhotra

2 Q. I want to clarify something, after
3 Dream On Me purchased the buybuy BABY assets,
4 you went to go work for buybuy BABY, is that
5 an accurate reflection of what you just said?

6 A. Yes. Yes. I was paid by buybuy
7 BABY.

8 Q. Do you have an employment agreement
9 with Dream On Me?

10 A. I'm a contractor.

11 Q. Do you have some kind of
12 contract/consulting agreement with Dream On
13 Me?

14 A. No. No.

15 Q. Were you an employee with the new
16 buybuy BABY entity that you then went to go
17 work with?

18 A. No, it's a consultant.

19 Q. Did you have a consulting agreement
20 with buybuy BABY?

21 A. It was verbal and in an email
22 format so it wasn't something that was
23 signed. I sent my terms and they said that's
24 fine.

25 Q. But when did you make the

1 A. Malhotra

2 transition from working for Dream On Me to
3 buybuy BABY?

4 A. The day buybuy BABY was formed.

5 Q. Do you know when that was?

6 A. I think the end of July 23 or early
7 August. I don't remember the exact date.

8 Q. I'm going to circle back to this.

9 I just want to do some other preliminary
10 stuff. I want to focus on you a little bit.

11 Do you have any professional licenses or
12 credentials?

13 A. As in like a -- in the context of
14 what? I don't understand the question.

15 Q. Well, you know, you have an
16 undergraduate degree, for example, and you
17 have a graduate degree.

18 I wonder if there are any types of
19 licensing bodies that wouldn't have given you
20 a degree, certificate, maybe you took a class
21 in something specific for your work related
22 to your work?

23 A. No. No. In software there's
24 nothing like licenses.

25 Q. Have you ever been the subject of

1 A. Malhotra

2 any disciplinary action by a court, tribunal
3 or licensing body?

4 A. No.

5 Q. You mentioned that you began
6 working for Dream On Me around May of 2023,
7 is that right?

8 A. Yes.

9 Q. What was your title with Dream On
10 Me?

11 A. There wasn't a --

12 MR. MURPHY: Objection.

13 A. There wasn't a title. It was just
14 like hey, we need help with diligence, can
15 you help us out. You know, this is a fast
16 moving initiative. I knew the people there.

17 So I knew Avish from before so I just
18 jumped in and, you know, I knew we'll sort
19 the employment and all that stuff and terms
20 later.

21 At that time we were very much focused
22 on figuring out what was the asset, what are
23 the moving pieces. Things were changing in
24 terms of the auction, in terms of the IP and
25 the going concern.

1 A. Malhotra

2 And then, of course, we had to quickly
3 understand what it meant for us to acquire --
4 what form we would acquire and then what
5 would be the sort of the plan after.

6 Q. So were you brought into Dream On
7 Me specifically to help with the bankruptcy
8 auction for buybuy BABY assets?

9 A. Yes.

10 Q. Did you have any other duties or
11 responsibilities while you were working with
12 Dream On Me?

13 A. No. No. By the time it sort of
14 really kicked in, I was full-time on it.

15 Q. You were just working on the Baby
16 bankruptcy acquisition?

17 A. That's right.

18 Q. Can you tell me what your duties
19 and responsibilities were with regard to that
20 project?

21 A. One was trying to getting a clear
22 picture of the product and technology assets
23 of buybuy BABY, what it meant, where the
24 teams are, where the people are and then sort
25 of look at what would be the plausible go

1 A. Malhotra

2 forward plans both in terms of what would it
3 be mean for an ongoing, what would be the
4 estate, how would the estate support us, if
5 we were choosing to go ongoing, understand
6 the TSA. That's the transition services
7 agreement.

8 So when you acquire an asset, which is,
9 you know, you're just taking it as a going
10 concern, the estate will then run the asset
11 for you for a fee until you can stand up on
12 your own sort of systems and operations to
13 then fully transfer control over.

14 Q. Did you have any other duties or
15 responsibilities?

16 A. No.

17 Q. Were you responsible for developing
18 a financial model --

19 A. No.

20 Q. -- as part of this project?

21 A. No.

22 Q. Were you responsible, I believe you
23 were, for assessing how to extract the
24 technology from Bed, Bath & Beyond?

25 A. Yes.

1 A. Malhotra

2 Q. Was that extracting the technology
3 the only scope of your responsibilities?

4 A. No.

5 Q. So can you explain in a little bit
6 more detail what else you would have been
7 working on?

8 A. So this extraction of the
9 technology assessment and the teams and the
10 organizational structure of what -- how the
11 operations are run and what then for us it is
12 to run it when it transitions to us and who
13 are the people and the teams who would be the
14 right fit for doing that.

15 Q. What did you do to prepare for this
16 deposition?

17 A. I just -- nothing specifically. I
18 just looked at some of the, this was not
19 recently, but looked at some of the materials
20 that I have shared just to sort of remind
21 myself as part of this discovery, but that
22 was a few days ago.

23 Q. Do you remember what documents you
24 looked at?

25 A. I think the documents that we had

1 A. Malhotra

2 shared with you guys, some of the emails and
3 notes and all those --

4 Q. Did you speak with anyone in
5 preparation for this deposition?

6 A. I spoke to Tom.

7 Q. I don't want to know what you said
8 to Tom, so don't tell me and don't tell me
9 what Tom told you. Did you speak with anyone
10 from Dream On Me in preparation for this
11 deposition?

12 A. Not in preparation. I let them
13 know that the deposition is today.

14 Q. Did you take any notes in
15 preparation for this deposition?

16 A. No.

17 Q. Do you have any notes or documents
18 in front of you today?

19 A. No.

20 Q. Did you have a role in collecting
21 documents to be produced in this litigation?

22 A. Not in collection, but I was
23 sharing it with Steve who was putting them
24 together, Steven and Avish for Tom. So I was
25 just pulling my own documents in terms of,

1 A. Malhotra

2 you know, the ones I could find.

3 Q. You mentioned a man named Steve.

4 What is Steve's last name?

5 A. Steve Kathtan.

6 Q. Do you know if he works for Dream

7 On Me?

8 A. He works for Dream On Me, yes.

9 Q. Do you know what he does there?

10 A. He's the director -- the head of

11 IT.

12 Q. Understood. Do you know if he had

13 any involvement in Dream On Me's acquisition

14 of the buybuy BABY's assets?

15 A. Yes. He was performing some of the

16 tasks that I asked him to do in terms of what

17 assets to get, where to put them.

18 So he's more like the operational

19 person, just making sure the data actually

20 gets transferred, the files are moving, all

21 those kinds of things.

22 Q. Do you know what Dream On Me does

23 as a business?

24 A. Yes.

25 Q. What do they do?

1 A. Malhotra

2 A. They are a wholesaler of -- they
3 manufacture baby furniture. They're in a
4 segment in the baby space and baby furniture
5 in other baby-related goods.

6 They have -- they do manufacturing.
7 They do importing. They have a bunch of
8 warehouses and they sell through Amazon,
9 Walmart and also they sell direct.

10 Q. Do you know if Dream On Me has
11 experience running retail stores?

12 A. As in retail physical stores?

13 Q. Yes.

14 A. I don't know if they have
15 experience running retail physical stores.

16 Q. Do you know if Dream On Me has
17 ever participated in a bankruptcy auction
18 before?

19 A. No. I don't know.

20 Q. Have you ever worked on a
21 bankruptcy auction before?

22 A. No, I have not.

23 Q. Do you know if anyone else at
24 Dream On Me who was working on this project
25 who had worked on a bankruptcy auction

1 A. Malhotra

2 before?

3 A. I don't know.

4 Q. Have you ever heard of an entity
5 called Go Global?

6 A. Have I heard of them?

7 Q. Yes.

8 A. Yes, I have.

9 Q. And what do you know about Go
10 Global?

11 A. They were very active during the
12 bankruptcy auction. There was a lot of news
13 being leaked or shared on CNBC and we always
14 saw Go Global. So that was my first sort
15 of -- first when I heard about them.

16 And then there was a conversation that
17 Go Global was having with Dream On Me for a
18 potential partnership that was -- so the
19 context was Lazard or when we were being
20 presented by the Bed, Bath folks, they said
21 hey you guys, you know, the buyers can
22 probably get together and here are some of
23 the other bidders, why don't you guys join
24 forces. And so there was that conversation.

25 And after that, I spoke to Thoryn

1 A. Malhotra

2 Stevens from Go Global to understand where --
3 what they were doing, what their experience
4 has been working with the buybuy BABY teams
5 and just to share notes on that.

6 Q. I believe you first heard about Go
7 Global from CNBC?

8 A. Not a news alert. You know when we
9 were in the auction so everyday, this was a
10 very famous/public auction, there would be
11 some news or other thing popping up and Go
12 Global's name was always sort of coming up as
13 one of the bidders or one of the people who
14 were interested in it.

15 Q. Do you know when you -- when that
16 was, when you first heard about Go Global?

17 A. That was in May, May of 2023.

18 Q. And at that point you had just
19 started working at Dream On Me, is that
20 right?

21 A. Yes. Because then I was, of
22 course, you know, the news of buybuy BABY and
23 Bed, Bath & Beyond's public bankruptcy was
24 very, very much in the media.

25 And then as I was talking to the folks

1 A. Malhotra

2 at buybuy BABY, I would see information out
3 there on CNBC and then there would be Go
4 Global's name attached to it.

5 Q. Can you approximate for me when you
6 started working at Dream On Me on this
7 project? I know you said May. Do you know
8 when in May?

9 A. It was -- it was in May. I think
10 the last two weeks or a week or so.

11 Q. The end of May, yeah?

12 A. Towards the end of May.

13 Q. When you started at Dream On Me,
14 what work had Dream On Me performed at that
15 time in relation to this project for a
16 potential bid for buybuy BABY assets?

17 A. I was -- I was focused on -- they
18 had an idea of acquiring the asset. They
19 mentioned to me that they have been
20 interested in this asset for a couple of
21 years.

22 They had talked to the management. They
23 had a good sense of all the players so they
24 knew people at the Board or sort of all the
25 moving pieces, right, because there was --

1 A. Malhotra

2 this is not an industry that I knew a lot
3 about just in terms of this company and this
4 whole ecosystem at Baby.

5 I got the rundown that they had a fair
6 understanding of what this business means,
7 what the gaps were, where they thought that
8 buybuy BABY was not performing.

9 Buybuy BABY was also a good part of
10 their sales and so they were, you know,
11 not -- they were not wanting to lose that
12 channel. So that was one of their
13 motivations to acquire the asset.

14 So I had context about the baby business
15 from them. I had context where buybuy BABY
16 played, their position, how they're
17 positioned.

18 I was also curious, hey, what is this
19 company? What do they do? My kids are
20 older, the baby universe wasn't fresh for me
21 on what is going on, what parents are
22 thinking, where the gaps in the market are,
23 why this company is relevant?

24 And then it was -- there was a lot of
25 the buybuy BABY management team had their own

1 A. Malhotra

2 idea of a transition plan. So the way buybuy
3 BABY was, Bed, Bath & Beyond and buybuy BABY
4 were being sold and presented was that, I
5 think, they assumed they're going to get a
6 huge amount of capital from their existing
7 investors.

8 They were actually coming up, hey, this
9 is our plan, when the organization sort of
10 splits, this is what we want to do, here's
11 the people that will be part of it, here's
12 how the teams are going to work, here's how
13 we're going to operate.

14 Q. I believe you mentioned that Dream
15 On Me had some context and some ideas.

16 What I want to know, when you joined
17 Dream On Me in late May, I want to know what
18 work they had performed in preparation for,
19 you know, submitting a bid or any analysis
20 that they had performed to submit a bid?

21 A. So I want to make it clear, it's
22 not just an idea. Obviously work is needed
23 to be done to have a sense of whether you're
24 going to bid for an asset or not.

25 If you're asking if there was a very

1 A. Malhotra

2 nice crisp document where they wrote all
3 these things they told me, there wasn't
4 one.

5 But I want to make it clear that, you
6 know, it's not like they were reading the
7 media. This is what this asset is and here's
8 what we can do with it. Let's learn some
9 more in terms of what exactly is going on
10 with these teams. Let us see what is in
11 discovery, what is being shared by them and
12 figure out the readiness of this team and
13 their ability to actually perform and do what
14 they're saying they will do when they spin
15 off.

16 Q. I believe you said that at this
17 point in time there was no written document.
18 Is that fair to say, there wasn't work
19 product you saw from Dream On Me at this
20 point?

21 A. No. I don't recall.

22 Q. Do you know what Dream On Me
23 reviewed to come up with the context and
24 ideas and basis for its plan to bid at the
25 point that you joined Dream On Me in May?

1 A. Malhotra

2 A. At the point I joined they had
3 looked at some of the assets in the data room
4 that was provided by buybuy BABY. And
5 they -- the buybuy BABY had shared decs of
6 their vision and where they wanted to go to.
7 So I know that materials had been reviewed.

8 Q. You just referred to the data room
9 by buybuy BABY. If I called that the Lazard
10 data room, does that seem accurate to you?

11 A. Yes.

12 Q. Because that's how we've been
13 referring to it. So I will call it the
14 Lazard data room for reference.

15 A. Yes.

16 Q. At that point Dream On Me had been
17 in the Lazard data room?

18 A. Yes.

19 Q. Do you know what they reviewed at
20 that point?

21 A. I don't personally know which
22 specific documents they had reviewed, but
23 they could speak to the documents so I assume
24 they had reviewed quite a few of the
25 materials.

1 A. Malhotra

2 Q. Had you been in the Lazard data
3 room?

4 A. Yes.

5 Q. What did you see in the Lazard data
6 room?

7 A. There was -- they had their -- so
8 there was a lot of documents around their
9 existing business, how the business was
10 performing, what systems they were using,
11 data architecture, software architecture,
12 insights on basic documents on their teams,
13 and then what their business is, their own
14 presentations on what they wanted to do with
15 buybuy BABY, Bed, Bath & Beyond.

16 Also because there was Bed, Bath &
17 Beyond data in there, in the presentations,
18 but I was focused on the buybuy BABY side.

19 Q. Do you know when you went into the
20 Lazard data room for the first time?

21 A. No, I don't have the specific date.

22 Q. Can you recall? Can you
23 approximate?

24 A. Probably in the end of May. I can
25 look up really quickly -- actually -- I

1 A. Malhotra

2 probably have like a shared --

3 Q. I don't need you to look it up.
4 I'm trying to get an idea of when you were
5 looking at it. It's around when you started
6 on the project, is that right?

7 A. Yes.

8 Q. When you went into the Lazard data
9 room, how many documents do you recall
10 seeing?

11 A. I say there were tens of hundreds.
12 And I'm pretty quick with reading documents
13 and understanding really quickly what is
14 going on so I'm really fast in finding out
15 what's important.

16 So I would have gone through probably
17 hundreds of documents or tens of hundreds and
18 finding out what is relevant, where the gaps
19 are, what they're showing, what is
20 interesting, what is not interesting.

21 Q. To clarify, there were hundreds of
22 documents in the data room that you saw?

23 A. Yes, that's what I believe, yes.

24 Q. Do you recall going through each
25 document?

1 A. Malhotra

2 A. I don't recall going through every
3 single document, but as different sections
4 come up and different areas, then I would
5 look at them more carefully.

6 So there were documents I would spend
7 more time on and I would skim some.

8 Then I would go back and say okay that
9 one is interesting, I need to understand this
10 contract they have. What are their pending
11 liabilities with some of the vendors? How
12 are they thinking about it?

13 The first question, how entrenched they
14 are with the whole buybuy BABY system? What
15 it takes to move those things. Getting what
16 sense of what systems they are using, which
17 were hundreds of systems that were all being
18 used interconnected and intertwined with Bed,
19 Bath & Beyond.

20 And then also they had this huge -- they
21 had a lot of talk that they were working with
22 Oracle, Salesforce, you know, Google I and
23 all that and finding out how much of that is
24 real and how much are they actually -- how
25 are the systems actually running, which

1 A. Malhotra

2 turned out to be most of the systems were
3 still in an old IBM AS-400.

4 Many of their core systems were pretty
5 antiquated at the bottom, but they had all
6 these systems which were in various stages of
7 being deployed all going live.

8 Q. Do you know who else at Dream On Me
9 was working on this project to acquire buybuy
10 BABY's assets?

11 A. It was Avish, he was pretty
12 engaged, myself, and I think -- I don't know
13 if Milan had access to the data room or he
14 spent much time there. He was in the
15 presentations so we did talk about all the
16 pieces.

17 But mostly it was -- I was working
18 mostly with Avish and giving out dates to
19 Mark.

20 Q. Anyone else other than Avish, Mark,
21 Milan or yourself?

22 A. I don't recall.

23 Q. Do you know if any one of those
24 people we just discussed other than yourself
25 went into the data room?

1 A. Malhotra

2 A. I know --

3 Q. The Lazard data room just to
4 clarify.

5 A. Avish was definitely there.

6 Q. And anyone else?

7 A. No. I don't recall anyone else,
8 not that I know.

9 Q. That's fine. That's fine. Do you
10 know why Dream On Me was interested in buybuy
11 BABY's assets?

12 A. I think I answered that question.

13 Q. Okay. Can you repeat it for me,
14 please.

15 A. So Dream On Me has been in the baby
16 business for about 20-plus years. They know
17 that having a sales channel apart from Amazon
18 and Walmart, having someone more focused is
19 important for those businesses.

20 They had a significant amount of their
21 business coming from buybuy BABY. They had
22 spoken to buybuy BABY, I believe, in the past
23 even before this auction.

24 So it's a market they believed in. They
25 understood this baby business at a very -- in

1 A. Malhotra

2 terms of what it means and the value of that
3 business.

4 So they were very keen on figuring out a
5 way that they could acquire -- to be clear, a
6 lot of conversations were for an ongoing
7 concern, right. So when we were talking in
8 May and June and the way buybuy BABY was
9 presenting itself was not hey, here's the IP
10 and we're going to walk away from it.

11 Most of the conversation was around what
12 would an ongoing concern model look like,
13 what would this business look like as an
14 ongoing concern.

15 Q. Okay. Do you know why Dream On Me
16 was interested in obtaining a partner in this
17 potential venture to purchase buybuy BABY's
18 bankruptcy assets?

19 A. I don't -- I don't believe they
20 were seeking a partner. This was a
21 connection made by Lazard or in one of those
22 calls by the sellers.

23 I don't know if it was Lazard or 6th
24 Street, whoever made that comment, and they
25 recommended that some of the buyers -- the

1 A. Malhotra

2 bidders get together and see if they could
3 do a joint bid or something like that.

4 So there was no plan or any conversation
5 that I had with Dream On Me where they said,
6 oh, we need to get a partner.

7 Q. Did you have any conversations with
8 the people over at Lazard?

9 A. Personal one-on-one, maybe a couple
10 of phones calls or something, but it was
11 always in the context of being in conference
12 calls with the folks at Lazard.

13 Q. Do you know when Dream On Me was
14 introduced to Go Global?

15 A. Sometime in the first week or
16 second week of June. It was a period of a
17 week or so.

18 Q. And do you recall that during that
19 week or so time period Dream On Me and Go
20 Global had conversations with potential
21 partnership, is that right?

22 A. Yes.

23 Q. Before Dream On Me met with Go
24 Global, but after you had decided to look
25 into a potential partnership, did you speak

1 A. Malhotra

2 with anyone at Dream On Me about this
3 potential partnership?

4 A. I was curious about -- before they
5 were introduced, yes. I mean they told me
6 that Go Global is coming and we were like
7 let's see what they have to say.

8 You know, because Go Global was very
9 active in the news, you know, making a lot of
10 ruckus.

11 So I think I was just curious what it
12 is, what do we know. I don't believe we knew
13 much about what -- where they were, what they
14 were planning to do with it. So I was trying
15 to learn about the company, what other assets
16 they had, what they do in the past.

17 And then, of course, I had a call with
18 Thoryn who worked for Go Global at the time
19 just to get up to speed on what they were
20 doing, what we were finding.

21 Because any information that a potential
22 bidder has with the folks at buybuy BABY is
23 made available to all the other bidders. So,
24 you know, I was just saying okay, what have
25 you done with them, where are you in this

1 A. Malhotra

2 process, how are you guys thinking about it,
3 those kind of things.

4 Q. When you say where are you,
5 you're talking about your conversation with
6 Thoryn?

7 A. Yes.

8 Q. I want to go back to your
9 conversations within Dream On Me and with
10 Lazard though.

11 A. Yes.

12 Q. What I want to know is if you
13 were speaking to anyone either at Lazard or
14 at Dream On Me about what this potential
15 partnership with Go Global was and what that
16 would look like. Do you recall any
17 conversations like that?

18 A. Yes. I mean, before the
19 partnership, we were speculating what it
20 could be.

21 I don't know if I had an email or a
22 WhatsApp message, probably the thing which --
23 again, this is, to be clear, 99 percent of my
24 attention was on the asset, talking to the
25 buybuy BABY people, what's going on there,

1 A. Malhotra

2 how this is going to look like.

3 And then I think I had talked to Avish
4 before hey, do you know -- when he mentioned
5 these guys are coming in for a meeting, from
6 what I can recall yeah, let's see what they
7 have to say, what's going on, what would this
8 look like.

9 So I didn't have -- I don't know if your
10 question is what specific conversation or we
11 had an idea of their partnership or --

12 Q. Well, I guess my question is if
13 Dream On Me is entertaining a potential
14 partnership with Go Global, do you know what
15 Dream On Me would have expected to get out of
16 that partnership and specifically what they
17 would have expected to get out of Go Global
18 from that partnership.

19 A. I don't know if they had a specific
20 reason or a plan. I don't believe they had
21 one.

22 We just wanted to learn what -- I mean,
23 if someone says meet someone, I'm not going
24 to start speculating like this, this, this
25 this. It will be interesting.

1 A. Malhotra

2 Obviously they're part of the bidding
3 process and we are part of the bidding
4 process. And if the Lazard folks are saying
5 you guys need to have a conversation, then
6 we'll have a conversation.

7 Q. So is it fair to say you were
8 interested in learning from Go Global?

9 MR. MURPHY: Objection.

10 A. You're putting words in my mouth
11 because we -- Lazard said you guys should
12 meet because you're both bidders and join
13 forces.

14 So we were yes, basically, what would
15 this partnership look like. Obviously you
16 talk to the person. You can't speculate on
17 what a partnership means. Partnership is a
18 very broad term.

19 Q. You mentioned speaking with Thoryn
20 Stevens at Go Global, is that right?

21 A. Yes.

22 Q. Did you speak with anyone else at
23 Go Global?

24 A. No.

25 Q. Just Thoryn?

1 A. Malhotra

2 A. Yes.

3 Q. And what did you speak with him
4 about?

5 A. About where -- so the first part of
6 the conversation was just our background. He
7 was also doing some work in health care. I
8 have done a lot of work in health care so we
9 talked about that.

10 We talked about what our sense was of
11 more like a technical level, like what our
12 sense of the buybuy BABY team was, where they
13 are in their journey, where we are in the
14 journey, how hard it was to basically get
15 hold of some of the buybuy BABY people.

16 We talked about the process they're
17 following. They seemed to be very busy in
18 conversations with Oracle spending time with
19 buybuy BABY people.

20 So it just was learning about his
21 background and what they were doing, just
22 more informational.

23 And I was sharing with him what we were
24 doing and how we were sort of approaching it.

25 Q. You said that part of the

1 A. Malhotra

2 discussion entailed where they are in the
3 journey.

4 So by that you mean where Go Global was
5 in the journey, in their process for --

6 A. Correct.

7 Q. -- for a potential acquisition of
8 buybuy BABY's assets?

9 A. Yes.

10 Q. Did Thoryn tell you where they
11 were?

12 A. Yes, he said that they were few
13 more weeks in. I think they had started to
14 look to -- to look at this in April or
15 earlier.

16 They had talked to more buybuy BABY
17 people. They were approaching -- I heard
18 from the buybuy BABY people that, you know,
19 they felt that they are going to go with Go
20 Global. So the buybuy BABY people were
21 spending all their time with Thoryn and the
22 folks at Go Global.

23 And it was very hard for us to, you
24 know, get time with the buybuy BABY folks
25 just in terms of getting conversations,

1 A. Malhotra

2 sharing their plans, giving us a view of, you
3 know, their architecture, what they had in
4 place, what they did not have in place.

5 Q. Is it fair to say when you spoke to
6 Thoryn, Go Global was further along in the
7 process than Dream On Me?

8 A. Yes.

9 Q. And in what ways?

10 A. They had spent more time with the
11 team.

12 Q. They had spent more time with the
13 Baby team?

14 A. With the Baby team. They had
15 spoken to the vendors like Oracle, Infosys,
16 all the vendors that buybuy BABY was working
17 with. Go Global spent more time with them.

18 Q. Had Dream On Me spent time with
19 those vendors?

20 A. Not much.

21 Q. Were there other ways in which Go
22 Global was further along in their process
23 than Dream On Me?

24 A. They had -- no, it was just more
25 conversations, more time with the teams, more

1 A. Malhotra

2 time coming up with potential scenarios or
3 what the going concern would be.

4 Now to be clear, any time that Go Global
5 spent with the buybuy BABY team legally, by
6 the Baby team, they are to share with all the
7 bidders.

8 So yes, they had spent more time with
9 the buybuy BABY team, but that information of
10 what they did with them was public to the
11 bidders.

12 Q. Do you know what kind of
13 information was being uploaded to the Lazard
14 data room?

15 A. Yes. Do you want me to expand on
16 it?

17 It's all standard diligence materials,
18 system, potential plans, what the 50 store
19 model looked like.

20 I don't know if they did ten stores.
21 Which are the stores they -- the performance
22 of every store, how much they spend on every
23 aspect of technology, where each technology
24 initiative was in its journey, which is
25 getting completed, the spend for each of the

1 A. Malhotra

2 vendors. How some of the pieces sort of
3 worked? What are the potential ways they
4 could take out costs out of there and what
5 that cost model would look like, all of that
6 information.

7 Q. That was information that was
8 available to any of the potential bidders in
9 this auction, is that right?

10 A. Yes, by law, by the terms of the
11 auction.

12 Q. Are you aware whether that data
13 room was being continuously populated with
14 new documents?

15 A. Yes. And I continued to look at it
16 everyday.

17 Q. You looked at -- everyday you would
18 look at the data room and read the new
19 documents?

20 A. Yes.

21 Q. Do you think you read every
22 document in that data room?

23 A. No, I did not read every single
24 document in that data room.

25 Q. Is it fair to say that the

1 A. Malhotra

2 information in that data room is raw data?

3 A. No. No.

4 Q. None of it is?

5 A. No, it is not just raw data.

6 Q. Okay. Is it fair to say that some
7 of what's in that data room is raw data?

8 A. What do you mean by raw data?

9 Q. I believe you said there were like
10 financial statements in there, that's raw. I
11 would consider that raw data.

12 A. Yes.

13 Q. That the Lazard or Baby would then
14 want -- I won't say what they would want --
15 they were providing the potential bidders for
16 the bidders to make use of it?

17 A. Yes, some of the data was raw data,
18 but as buybuy BABY continued to have
19 conversations on potential exit options, they
20 were sharing those as well.

21 Q. Do you recall whether you attended
22 any meetings with Go Global other than the
23 one with Thoryn Stevens?

24 A. No, I did not.

25 Q. I want to clarify, you do not

1 A. Malhotra

2 recall attending a meeting on June 12?

3 A. No. Was it the meeting with
4 Thoryn?

5 Q. No.

6 A. No?

7 Q. I will represent the following to
8 you; there was a meeting on June 12 which was
9 a dinner meeting. I want to know if you
10 attended that meeting.

11 A. I did not.

12 Q. I will also represent to you there
13 was an in-person meeting on June 15 at Dream
14 On Me's offices in New Jersey. Did you
15 attend that meeting?

16 A. No, I did not.

17 (Whereupon, at this time, an
18 exhibit was displayed via Zoom.)

19 MR. BERLOWITZ: I will share this
20 document with you. I hope I'm sharing
21 my PDF with you.

22 THE WITNESS: Yes.

23 Q. This is an email at the very top
24 that you sent on June 12. It is a two page
25 email. First page is Bates number GG 8935.

1 A. Malhotra

2 I'm interested in the entire chain so I
3 will give you a minute to read the email
4 that's below that and let me know when you
5 want me to scroll down and let me know when
6 you're finished reading it.

7 (Whereupon, at this time, a
8 document was marked as Plaintiff's
9 Exhibit 1, as of this date.)

10 MR. MURPHY: We will mark this as
11 one? Do you want him to read all the
12 way to the bottom?

13 MR. BERLOWITZ: I was going to give
14 him a chance to read it.

15 (Whereupon, at this time, the
16 attorney scrolled through the exhibit as
17 requested.)

18 A. Okay.

19 Q. So I'm going to ask you first about
20 the email that was sent on June 12 at
21 3:00 p.m. You're not on this email?

22 A. Yes.

23 Q. But in this email there are a
24 number of questions that were posed that
25 seems by Dream On Me to Go Global and then Go

1 A. Malhotra

2 Global provides responses. Is that an
3 accurate reflection of what's going on in
4 this email?

5 A. Yes.

6 Q. I want to know, do you know who
7 came up with these questions?

8 A. I know Avish -- I think Avish and I
9 talked about these questions because I had
10 had a briefing of what I was finding in the
11 data room and, you know, what is being
12 shared.

13 Q. Did you help draft these questions?

14 A. I think so. I'm not a hundred
15 percent sure.

16 I do remember talking about these
17 questions or -- whether I wrote it down for
18 Avish or we talked about it, yeah, I cannot
19 say yes or no, but probably yes.

20 Q. At the top you write to Christian
21 thanking for him for the responses. Do you
22 see that?

23 A. Yes.

24 Q. Is it fair to say that you reviewed
25 the questions and responses on June 12 or

1 A. Malhotra

2 thereabouts?

3 A. Yes.

4 Q. I want to focus your attention on
5 parts of these questions and parts of these
6 responses.

7 So the first question is, "How are you
8 reconciling between huge BBY budget versus
9 what is needed for baby, EG 9mm, Google
10 GCP." Do you see that question?

11 A. Yes.

12 Q. And in the response TS, I assume
13 that's stand for Thoryn Stevens. Do you know
14 if that's true?

15 A. I don't know if that's true. I am
16 guessing it is.

17 Q. That's fine. In the response in
18 the second sentence, Go Global responds, "All
19 systems at BBB are convoluted and
20 overcomplicated and we have been working to
21 document and identify key people, processes
22 and applications needed from transition to
23 stabilization." Do you see at that sentence?

24 A. Yes.

25 Q. As of June 12, had DOM identified

1 A. Malhotra

2 key people needed for transition to
3 stabilization?

4 A. So I want to make it clear when
5 they say transition, that is not part of the
6 IP bid. That is part of a going concern bid
7 of buybuy BABY people saying we will work on
8 the transition with you and the estate will
9 work on the transition with you and then
10 stabilize.

11 The context of your talking about the IP
12 bid is -- this is not relevant for the IP
13 bid. If you look at cost GCP, that is Google
14 Cloud Platform, and what I mentioned later --

15 Google Cloud platform is GCP. Thoryn is
16 saying they are spending [REDACTED] in
17 E-commerce housing data warehouses and all
18 that.

19 Google Cloud Platform was not even
20 operational. A lot of their core systems
21 continued to work on the old IBM systems.
22 This was not an operational system. Same
23 thing with Oracle.

24 So they were going down the path of
25 figuring out, working with Oracle, right.

1 A. Malhotra

2 Oracle hadn't even been completed. But from
3 what I could gather, the buybuy BABY team and
4 the Go Global team were going down a path of
5 trying to get Oracle to complete their work
6 and, basically, you know, continue to use
7 Infosys and that was the path they were
8 following and we didn't follow any of those
9 paths. We didn't use Oracle, Google Cloud or
10 any of that stuff.

11 Q. My question is as of June 12, had
12 Dream On Me identified key people needed from
13 transition to stabilization?

14 A. I had an idea of some of the
15 players but -- we did not have a locked down
16 plan of who were these key people.

17 Q. As of June 12, had Dream On Me
18 begun the locking necessary processes needed
19 to do -- to transition to stabilization?

20 A. I think at that time I had an idea
21 of -- what was basically plausible ideas,
22 right, in terms of what things are essential
23 and what things may not be essential and
24 that's where I was in the process of
25 discovery.

1 A. Malhotra

2 But, to be clear, in my conversation
3 with Thoryn, they hadn't identified that
4 themselves. They were wholly dependent on
5 what buybuy BABY was telling them.

6 And so they would say hey, can you cut
7 these costs and buybuy BABY would do that and
8 share this information with everybody else.

9 Q. As of June 12 had Dream On Me
10 looked into the applications needed for the
11 transition to stabilization?

12 A. We had looked into it. We knew we
13 did not need all of them and we were
14 basically working with the buybuy BABY folks
15 to whittle them down.

16 Q. I believe for the first two points,
17 identification of key people and processes,
18 you said that you had ideas about it, is that
19 right?

20 A. Because I had started to talk to
21 the folks at buybuy BABY and I was getting a
22 picture of all the people who were involved
23 who were sharing what and who was doing what,
24 but we had not locked it down as of June 12.

25 Q. When did you begin speaking to the

1 A. Malhotra

2 people at buybuy BABY about these specific
3 issues?

4 A. Almost immediately. Right when I
5 started. I don't recall the first call with
6 buybuy BABY, but it was pretty immediate.

7 And the first question was who do you
8 have, how are you thinking about it, who are
9 the players involved, who do you think are
10 good, what are you thinking about the go
11 forward and buybuy BABY started to share some
12 of that information.

13 I mean the first day that Avish sent me
14 the dec back in May, I already like -- the
15 reason I got involved in this is because I
16 was actually jet lagged at the time so I
17 spent all night and came up with a whole
18 litany of comments and questions and sort of
19 running through what makes sense, what does
20 not make sense, what are the different
21 plausible paths.

22 So yes, I mean -- we had -- I mean we
23 had -- we were looking at the same data for
24 about two, three weeks at the time.

25 Q. Did you --

1 A. Malhotra

2 A. That's why in the conversation with
3 Thoryn, I want to make it clear, they were
4 going down this path with Oracle and they
5 were talking to all these different vendors
6 and we were questioning whether these vendors
7 would even be needed, right.

8 It seems like Go Global was going with
9 whatever the buybuy BABY team was telling
10 them.

11 Q. As of June 12, did you or Dream On
12 Me have any work product with regard to the
13 identification of key people?

14 A. Conversationally, yes. You have to
15 remember, this was --

16 Q. I'm asking about work product.

17 A. I don't recall. No, work product
18 in terms of what we saw in the data room? I
19 had a note -- I think I had a note to Avish,
20 right, on day one or day two of my getting
21 involved. Like I mentioned, I can pretty
22 quickly run through these documents.

23 Q. You didn't have any work product
24 with regard to the identification of key
25 people as of June 12, is that accurate?

1 A. Malhotra

2 MR. MURPHY: Objection. You can
3 answer.

4 A. I know I had -- I had produced my
5 sort of quick summary when we first started
6 looking at this. And I was sharing insights
7 probably two or three times a day with Avish
8 in multiple phones calls, what we were
9 learning and finding.

10 But if you are asking me that we had
11 fully baked investment pieces ready to go by
12 this time, no. And neither did buybuy BABY.

13 Q. I'm not asking you that question.
14 I want you to listen to the question I'm
15 asking.

16 A. Okay.

17 Q. I understand you had conversations
18 with people.

19 A. Yes.

20 Q. I'm not asking about those
21 conversations. I'm asking whether you had
22 work product, a draft or a final form with
23 regard to the identification of key people as
24 of June 12?

25 A. No.

1 A. Malhotra

2 Q. Thank you.

3 A. No.

4 Q. Same question, but for processes.

5 A. Processes I don't recall. Because
6 I remember talking about it extensively and I
7 don't know if I wrote it down somewhere.

8 Q. Is your response you don't recall?

9 A. I don't recall. And applications.

10 Q. You also don't recall for
11 applications?

12 A. Yes, I don't recall for
13 applications.

14 Q. Thank you. I want to direct your
15 attention to another one of the questions
16 here. It says -- can you see my cursor?

17 A. Yes.

18 Q. Good. I will try to highlight it.
19 This question reads, "Tech team is in
20 yellow/white. Are those BBY people? How
21 quickly do you think the Baby team can get
22 online and start transition, i.e. wean out of
23 BBY systems. Any SME gaps? Who is
24 responsible for IT and any on prem systems.
25 Do you foresee any IP issues with BBY? "

1 A. Malhotra

2 Do you see that question?

3 A. Yes.

4 Q. My first question to you is, what
5 does SME stand for?

6 A. Subject matter expert.

7 Q. So can you just explain to me why
8 you're asking about subject matter expert?

9 I realize we don't know if you drafted
10 this question, but do you know why Dream On
11 Me is asking about subject matter expert gaps
12 to Go Global?

13 A. I think the intent here is to just
14 basically see what Go Global is sort of
15 finding out.

16 It's information sharing. It's sort of
17 like hey, what have you guys done? Have you
18 seen any subject matter experts, I guess.

19 Q. You were interested in the
20 information that Go Global had?

21 A. We were interested in learning
22 about the work that they had done, what work,
23 if any, they had done on this.

24 Q. I'm sharing another document with
25 you. We will mark this as Exhibit 2.

1 A. Malhotra

2 (Whereupon, at this time, a
3 document was marked as Plaintiff's
4 Exhibit 2, as of this date.)

5 (Whereupon, at this time, an
6 exhibit was displayed via Zoom.)

7 Q. This is an email -- Mr. Malhotra,
8 do you mind if I call you Amit?

9 A. Yes.

10 Q. You can call me Steve. I just
11 prefer informality. I appreciate that.

12 A. Yes.

13 Q. This is an email sent by Amit to
14 Thoryn Stevens. It is dated June 13. It is
15 four pages. The first page is Bates stamped
16 DOM 3073.

17 You can scroll through this email, but
18 my first question to you is do you recognize
19 it?

20 A. Yes.

21 Q. You write to Thoryn -- you said,
22 "Thank you again for your time today. Would
23 you have time tomorrow to continue our
24 conversation?" Do you see those two
25 sentences?

1 A. Malhotra

2 A. Yes.

3 Q. So you had a meeting with Thoryn
4 Stevens from Go Global, is that right?

5 A. That's correct.

6 Q. And do you know if that meeting was
7 on June 13?

8 A. Yes. Yes, if I'm saying that,
9 yes.

10 Q. What did you discuss at this
11 meeting?

12 A. It was expanding more. I think,
13 like I mentioned, it was the sharing of our
14 backgrounds, sharing our experience with what
15 we are learning from the folks at buybuy
16 BABY, how they're set up.

17 Both of us -- I mean he was also asking
18 me questions what is my background, what I've
19 done in the past and what our experience has
20 been working with the buybuy BABY folks.

21 So yeah, it was all of that, that stuff,
22 and basically going a little bit deeper into
23 these questions.

24 They were telling me, okay, this is how
25 we're thinking about it, the conversations we

1 A. Malhotra

2 are having with -- he mentioned he had to
3 jump off to get on a call with Oracle.

4 So that was the context of that
5 conversation.

6 Q. Do you remember speaking about
7 anything else?

8 A. It was sharing -- it was -- I think
9 we basically talked about the fact that there
10 was a lot of complexity built into the buybuy
11 BABY organization that was coming in from the
12 Bed, Bath & Beyond and what, you know, what
13 could be possible ways that, you know, we
14 would carve it out or where some of the
15 challenges -- what are we sort of finding
16 out, sharing more.

17 You've gone through the diligence
18 process. I've gone through the diligence
19 process. You've spent more time with them
20 and so more information.

21 Clearly, we could not have a completed
22 conversation. Like I mentioned, the first
23 part was me talking to him about health
24 care. So I would ask for more time to
25 continue the conversation.

1 A. Malhotra

2 Q. So what did you want to speak about
3 when you continued the conversation with
4 Thoryn?

5 A. I don't recall at the time. I
6 mean -- just getting a sense of what it is
7 that they are -- I'm trying to remember
8 what -- I don't remember specifically what I
9 wanted to talk to him about right now. No I
10 don't.

11 Q. Fine.

12 A. I don't want to speculate. It's
13 about a year and three months ago.

14 (Whereupon, at this time, an
15 exhibit was displayed via Zoom.)

16 (Whereupon, at this time, a
17 document was marked as Plaintiff's
18 Exhibit 3, as of this date.)

19 Q. I'm showing you another email.
20 This is one from is Thoryn Stevens to
21 yourself, Amit. It's dated June 15. It is
22 six pages. First page Bates DOM 3098.

23 Do you recognize into email, Amit?

24 A. Yes.

25 Q. In the second email that is part of

1 A. Malhotra
2 this chain from the top, you write, "I
3 believe," to Thoryn, "at this point my main
4 goal is to get a deeper understanding of the
5 transition plan and the risks. This will
6 help me better support our investment and
7 partnership with Go Global in a clarity of
8 how buybuy BABY will be successful." Do you
9 see that?

10 A. Yes.

11 Q. So does that refresh your
12 recollection that you wanted to speak with
13 Thoryn to get a deeper understanding of the
14 transition plan?

15 A. Yes. So this is the TSA document.
16 Let's go further down here.

17 So remember I mentioned that they were
18 talking about investments and carving out the
19 Google Cloud and talking to Oracle.

20 Q. Yes?

21 A. What I was saying, there was some
22 IBM-I series, the IBM AS-400, which is really
23 an antiquated sort of system.

24 What was happening and what I've started
25 to discover was while all the future plans

1 A. Malhotra

2 were being made with Oracle and Google and
3 all that, none of those systems were
4 operational and in order to have a real
5 transition plan, we needed to dig deeper into
6 the IBM-i series.

7 So that's something I said. Have you
8 looked at this IBM-i series contracts. He
9 said yeah, I believe IBM used it with the
10 current ERP.

11 Current systems were being used, were
12 utilizing an IBM-i series system as opposed
13 to Oracle and Google Cloud.

14 And that was -- what I recall from this,
15 look, their current systems are running on
16 IBM. You're talking all this time about
17 Oracle and Google, but if there is a
18 transition period where the current business
19 has to run for three months or six months
20 then we needed -- we, as whoever is buying
21 it, has to have an IBM system because you're
22 not going to be able to migrate off an IBM
23 system to an Oracle system in a day.

24 Bed, Bath & Beyond were or buybuy BABY
25 was trying to do it for three years and, in

1 A. Malhotra

2 fact, they were trying to do it for ten years
3 and they were not successful.

4 And that was, okay, so my conversation
5 with Thoryn, you are talking about a
6 transition and stabilization, all this stuff,
7 but the reality is everything is running on
8 an IBM-i series. It doesn't make sense that
9 you are trying to talk to Oracle and all
10 these guys when the current systems are
11 running on IBM.

12 And they haven't migrated in three
13 years. How do you think you're going to
14 migrate in a day?

15 Q. Did you also speak with Thoryn to
16 get a deeper understanding of the risks?

17 A. I don't think I had this call with
18 him, the one after that. I don't recall
19 having a second call. I recall only the one
20 conversation with him.

21 Q. When you say in the email, when you
22 write deeper understanding of the transition
23 plan, are you referring to Go Global's
24 transition plan?

25 A. There was no Go Global -- there was

1 A. Malhotra

2 a transition plan by buybuy BABY.

3 And, again, I want to make it clear,
4 there's a gap in even how buybuy BABY was
5 selling us this idea of everything is Oracle,
6 talk to Oracle. Oracle kept saying, oh we
7 are 95 percent done.

8 And I've seen these things so many
9 times. Someone says they're 95 percent and
10 even 99 percent done. They're not done.
11 They're nowhere close to being done.

12 And this was, from my perspective, a big
13 risk.

14 Today your systems are running on IBM,
15 why are we talking about Oracle and all this
16 other Google and all those things.

17 And the reason I think buybuy BABY was
18 talking about it was because they wanted to
19 drive the valuation higher. They didn't want
20 to admit to the public that we are still
21 running on an IBM system and if you need to
22 transition off of it you need to go to eBay
23 and buy an old IBM computer and hire all
24 these people that are not in the market to
25 transition. This is a big problem.

1 A. Malhotra

2 Why are you looking there? Because I
3 saw the contracts.

4 Q. Did you speak to Thoryn about a
5 transition plan?

6 A. A specific transition plan, that
7 was independent of -- so the TSA was being
8 drafted by the buybuy BABY folks. So I don't
9 recall whether we had tried to create a new
10 transition plan or something.

11 Q. Did you ask Thoryn questions about
12 the transition plan?

13 A. I don't recall if I asked him a
14 specific question about their transition plan
15 outside of what was being covered by buybuy
16 BABY.

17 Q. Did you ask Thoryn questions about
18 the buybuy BABY transition plan?

19 A. Yes, I think so.

20 Q. Which questions did you ask him?

21 A. I don't recall the questions.

22 Q. Do you know how many questions you
23 asked him?

24 A. I don't recall. I mean that wasn't
25 the focus.

1 A. Malhotra

2 Again, we were both in discovery. He
3 was also trying to get a handle around what
4 was happening.

5 I think the idea you have that Thoryn
6 had a clear picture of what they're going to
7 do is entirely false. He was also sort of
8 discovering.

9 It was a little bit of a venting session
10 of how hard it was to get information out of
11 the buybuy BABY people and why don't they get
12 it and they need to get over their corporate
13 thinking and work on how to have a specific
14 idea. And this is an example of it.

15 Because there is something I discovered,
16 you can see it in my email, hey, you are
17 talking -- if you go to talk to buybuy BABY
18 people, they're talking about Oracle and all
19 these Google things and they were paying
20 millions of dollars to Akamai, which is not
21 even a technology company you should be using
22 in this market. Meanwhile, their core
23 systems were running on IBM.

24 Q. Amit, respectfully my question is
25 whether you asked Thoryn questions about the

1 A. Malhotra

2 transition plan. I don't want to have to do
3 this, but I will focus you if I need to. I
4 want you to listen to the question I'm
5 asking.

6 A. Okay.

7 Q. Okay?

8 A. Yes.

9 Q. Now you mentioned that Thoryn was
10 also getting a handle on the information.

11 A. Yes.

12 Q. Is it fair to say that you, at this
13 point, were trying to get a handle on the
14 information in the Lazard data room?

15 A. Yes.

16 Q. What specifically were you
17 interested in?

18 A. I mean a question right here is the
19 IBM question, what is running right now in
20 the buybuy BABY universe? What is actually
21 working?

22 Q. Did you speak to Thoryn about
23 that?

24 A. No, not -- because I think this is
25 after so I don't believe I actually ended up

1 A. Malhotra

2 talking to him about this, but I pointed out
3 that.

4 Q. Did you share with Thoryn the
5 information you were looking for in the
6 Lazard data room? Let me rephrase.

7 Did you ask Thoryn where can I find, you
8 know, X information that might be stored in
9 the Lazard data room?

10 A. I don't recall.

11 MR. MURPHY: Objection.

12 A. I don't recall asking that
13 question.

14 This is a year and three months and it
15 was a very high level general conversation of
16 us getting to know each other and the idea
17 that we would be spending more time so it was
18 a lot of introductions and about our
19 backgrounds in health care.

20 Q. Do you know what is tech stack
21 migration?

22 A. Yes.

23 Q. What is it?

24 A. So when you have a suite of
25 technologies and technology products and

1 A. Malhotra

2 applications being used together, they're
3 all -- you can say they're in a stack.

4 Then when you want to transition it into
5 a different organization or start a new
6 organization, you need to have a before and
7 after view of what the new tech stack, new
8 set of applications, processes and tools
9 might look like or if you're using the
10 existing ones, how you're using the existing
11 ones.

12 So sometimes it could just be a
13 straight-up transition. Sometimes it could
14 be that you could replace almost everything
15 in the tech stack.

16 Q. Did you ask Thoryn about his view
17 on the tech stack migration?

18 A. No, I don't recall asking that
19 specifically in that manner.

20 Q. What do you recall asking about the
21 tech stack migration?

22 A. Not specifically -- I don't recall
23 actually because -- we were talking at this
24 time more about the TSA, which is their --
25 buybuy BABY's ability to support the

1 A. Malhotra

2 transition because the transition, the TSA is
3 run by buybuy BABY. It does not --

4 Q. I'm asking about the tech stack
5 migration.

6 MR. MURPHY: He said he didn't
7 know.

8 MR. BERLOWITZ: I understand that.
9 I want to streamline this a little bit.

10 A. Yes, I don't know.

11 Q. I don't want to know about the TSA
12 right now.

13 A. The note you're showing me is about
14 TSA.

15 Q. I understand that, but I'm not
16 asking you a question about the TSA. I'm
17 asking about the tech stack migration.

18 A. I don't recall having that
19 conversation specifically in what
20 specifically he was thinking.

21 The only thing I gathered was he was
22 just working with buybuy BABY to figure out
23 what they were looking at in terms of what
24 they were doing with Oracle and where
25 everything is.

1 A. Malhotra

2 Q. Did you ask him about those
3 conversations that he had with buybuy BABY?

4 A. Yes, the types of meetings he's
5 having, who he's talking to and it was the
6 same people I was talking to.

7 Q. What did he tell you?

8 A. I mean, he was having those
9 conversations. I mean -- I think I recall
10 talking about their CTO who, in the middle of
11 all this while we are trying to get with
12 them, decided to go on a two week vacation.

13 Q. Do you remember anything else?

14 A. I don't recall anything else.

15 Q. Did you ask to see Thoryn's tech
16 stack migration?

17 A. No.

18 Q. Were you interested in seeing it?

19 A. It's not relevant because the --

20 Q. I'm not asking whether it's
21 relevant. I'm asking whether you were
22 interested in seeing it.

23 MR. MURPHY: I think he's answering
24 the question.

25 A. Sorry.

1 A. Malhotra

2 MR. MURPHY: Go ahead.

3 A. I'm saying I was not interested
4 because it's not relevant.

5 Q. I understand, okay. Going back to
6 this first email I showed you, this is
7 Exhibit 1.

8 A. Yes.

9 Q. You write, "Thank you for the
10 responses -- "Thank you Christian for the
11 responses. These are great." Do you see
12 that?

13 A. Yes.

14 Q. What about these responses were
15 great?

16 A. Politeness. Generally politeness.
17 Just like you're saying you're awesome.

18 Q. You didn't actually think --

19 A. Passive aggressive. Just generally
20 how people saying these are great.

21 Q. Was there anything else
22 specifically in here you thought was great?

23 A. No. I mean that's just a general
24 way of thank you and, you know, if you start
25 dissecting words like thank you, what did you

1 A. Malhotra

2 mean because you're saying thank you, that's
3 not -- these are meaningless.

4 Q. This first sentence to you is
5 meaningless?

6 A. I mean it's general conversation,
7 right. I want to make sure that we are not
8 getting -- when you asked me questions, these
9 are great, you know, how are you doing, I'm
10 great.

11 Not everything is great all the time
12 obviously. So, you know -- I'm trying to
13 like -- I don't understand the relevance
14 here. What are you trying to get at?

15 Q. I promise I'm not trying to trick
16 you. I'm reading an email that you wrote and
17 I'm asking.

18 If your response is that you were being
19 polite, that's fine. That's all I want to
20 know.

21 A. Yes.

22 MR. MURPHY: Just answer his
23 questions, Amit.

24 THE WITNESS: Okay.

25 Q. You write in the -- the second

1 A. Malhotra

2 paragraph, "Would it be possible to connect
3 with me? Would it be possible to connect me
4 with the technology team so we can get on a
5 call to get a little bit deeper." Do you see
6 that sentence?

7 A. Yes.

8 Q. Is the technology team you're
9 referring to just comprised of Thoryn?

10 A. That's right.

11 Q. "So we can get a little bit
12 deeper." Do you see that part?

13 A. Yes.

14 Q. What did you want to go deeper on?

15 A. So let's look at the [REDACTED] in
16 GCP, right. GCP was -- GCP was not being
17 used for E-commerce. GCP was not even an
18 operational system.

19 So I'm like I want to understand why are
20 you telling us that you're going to continue
21 to focus that into some other data warehouse
22 when the data warehouse is not even live.

23 Q. Okay.

24 A. Actually it was existing in the IBM
25 system.

1 A. Malhotra

2 Q. Was there anything else you wanted
3 to go deeper on?

4 A. That's an example. Obviously, if
5 you're having a conversation and you're
6 looking at a potential partnership working
7 together, and could he run this or however
8 that might come up, then I want to know more
9 about the capability of the company that we
10 may be partnering with.

11 Q. Did you ask Thoryn about the
12 capability of Go Global?

13 A. Yes.

14 That was the initial conversation I had
15 with -- not Go Global, I asked for his
16 capability.

17 Q. And can you be more specific about
18 what you mean by capability?

19 A. Getting his understanding. So I
20 mentioned to you, understanding his
21 background, the kinds of work he had done.
22 We talked about the health care pieces. Just
23 getting to know a person you might be working
24 with. So you keep it high level, try to get
25 a sense of what they've sort of have done or

1 A. Malhotra

2 he has done in his life outside of Go Global
3 because I want to go get to know the person.

4 Q. Did you want to go deeper on any of
5 the specific topics or issues that may have
6 been relevant to the acquisition of BBY's
7 assets?

8 A. At a general level. I don't recall
9 if I was asking him things that I already
10 knew or was already shared by the buybuy BABY
11 team, okay.

12 I did ask what he thought of the CTO
13 and he said she was great. He really liked
14 her.

15 Q. Do you recall any other questions
16 you asked him?

17 A. No. The reason I recall that
18 question is because I did fire her the first
19 day, that's why I remember.

20 MR. BERLOWITZ: We've been going
21 for a hour an half. Can we go a little
22 bit longer.

23 THE WITNESS: We can take a two
24 minute break.

25 MR. BERLOWITZ: Let's take a five

1 A. Malhotra

2 minute break. Stretch your legs and
3 we'll come back at 11:35.

4 (Whereupon, at this time, there was
5 a pause in the proceeding.)

6 Q. Amit, I'm showing you another
7 document. This is an email that you wrote to
8 Avish. It's dated June 11. It is two pages
9 and the first page bears Bates number DOM
10 3128.

11 (Whereupon, at this time, a
12 document was marked as Plaintiff's
13 Exhibit 4, as of this date.)

14 (Whereupon, at this time, an
15 exhibit was displayed via Zoom.)

16 Q. Do you recognize this document?

17 A. Yes.

18 Q. You see the first sentence, "What
19 is the benefit of DOM investing [REDACTED]
20 versus [REDACTED]?" Do you see that?

21 A. Yes.

22 Q. Why are you asking that question?

23 A. I think I was trying to get a sense
24 of control, right. I can see it.

25 So if it is a smaller investment, then

1 A. Malhotra

2 my thought was then they would have minority
3 sharing in the partnership depending on the
4 exit value.

5 So the value of the assets -- sorry, my
6 question was like, what would be DOM's --
7 would DOM have more say in the direction of
8 the company being part of the Board or would
9 it be like a supplier or --

10 I don't know why I said conflict of
11 interest. Maybe it was being a supplier and
12 being part of the Board. Maybe.

13 But yeah, I wanted to understand.
14 Because Avish said we'll invest [REDACTED] to [REDACTED]
15 [REDACTED] and my question was does that mean
16 that you're a minority partner or an equal
17 partner.

18 Q. Do you know how Dream On Me viewed
19 its role if it won the buybuy BABY assets?

20 A. In partnership with --

21 MR. MURPHY: Can you clarify,
22 Steve.

23 Q. Let's start, let's say it was
24 partnering with Go Global. Do you know how
25 Dream On Me viewed its role?

1 A. Malhotra

2 A. No. That's why I think I asked
3 these questions. Hey, would you be an
4 investor? Would you want to have direction
5 of how this company is going to be run?

6 Q. Do you know if Dream On Me wanted
7 to run the day-to-day business of, you know,
8 the new company if it won a bid?

9 A. Yes, that's why I believe they were
10 bidding.

11 Q. You write, I guess it's the last
12 sentence, "Is DOM guaranteed or maybe more
13 assured of revenue from DOM as a supplier if
14 this is so?" Do you see that sentence?

15 A. Yes.

16 Q. What do you mean by that?

17 A. It kind of reads weird. I'm trying
18 to recall probably if there's a --

19 Remember, I mentioned that one of the
20 things that DOM lost was being a supplier to
21 buybuy BABY. So if there is a new buybuy
22 BABY being run in partnership with Go Global,
23 then what would -- you know, what would
24 DOM -- so there's DOM, sort of the investment
25 side, and then would DOM continue to be a

1 A. Malhotra

2 supplier to this new entity.

3 Q. Okay.

4 A. Because one of secret sauces if you
5 may, one of the things we learned about the
6 buybuy BABY from a supply chain perspective,
7 they were very dependent on middlemen. And
8 so their margins were very slim and they were
9 very much affected by any issues that the
10 wholesalers or the people in the middle had.

11 DOM has a lot of relationships overseas,
12 including their own factories. So Mark's
13 sort of view was always that hey, if I can
14 have that same sales channel, but I can take
15 out 20, 30 points off the middle, then
16 suddenly this becomes a very lucrative
17 business.

18 Q. Do you know if Mark or Dream On Me,
19 in general, was concerned about losing their
20 business, that business if they didn't win
21 the bid?

22 A. I don't know if they were
23 concerned -- I don't know the -- obviously
24 that's why they were in the bidding process,
25 but I don't know if that was the only reason

1 A. Malhotra

2 for that. Obviously they're in the market.

3 Q. It was one of the reasons, is that
4 right?

5 A. That's what I believe, yes.

6 Q. Do you know if DOM now has a
7 guaranteed source of revenue as a supplier to
8 the new buybuy BABY company?

9 A. I would say yes, because a lot of
10 buybuy BABY's current -- buybuy BABY products
11 are sourced from DOM and in the future the
12 plans are to continue to expand that.

13 Q. What are those future plans?

14 A. They wanted to source more private
15 brands and source more products and partner
16 with other brands in terms of, you know, like
17 if you have a co-branded product, then you
18 can keep more margin.

19 Q. Do you know which products they're
20 looking to introduce?

21 A. Not specifically, but you can see
22 here, recliners, mattresses, bedding.

23 Q. Okay.

24 A. I don't know which ones are getting
25 activated, when or what the specific plans

1 A. Malhotra

2 are now.

3 Q. Do you know which partners they're
4 interested in working with in the future?

5 A. I mean, again, it's in this email.
6 DOM has a relationship was Fisher Price,
7 Barbie, Elle, all those. So I think they
8 were probably looking at using that part of
9 their muscle to do that.

10 Q. I'm not -- I understand what you
11 are referring to in this email, but I'm not
12 asking what is listed in the email. I'm
13 asking if you know any other partners.

14 A. I don't know any other partners.

15 Q. I'm sharing another email with you.
16 I don't know why the Bates number is not
17 listed on this, but I will represent to you
18 that it bears Bates number DOM 3154 and I
19 will get a Bates stamped copy when I send the
20 exhibits.

21 (Whereupon, at this time, a
22 document was marked as Plaintiff's
23 Exhibit 5, as of this date.)

24 (Whereupon, at this time, an
25 exhibit was displayed via Zoom.)

1 A. Malhotra

2 Q. This is an email from Avish sent to
3 Amit dated June 15. I already said what the
4 Bates number is. Amit, do you recognize this
5 email?

6 A. Yes.

7 Q. This email contains a number of
8 attachments, is that right?

9 A. It contains a link, it doesn't
10 contain attachments. It contains --

11 Q. If you look at the top under
12 subject it says attachments, is that right?

13 A. Oh, yeah. Yeah. Okay.

14 Q. So this email contains a number of
15 attachments, is that right?

16 A. Yes, I would assume so. I don't
17 recall right now.

18 Q. One of those attachments is labeled
19 1.6.1 GG Baby LRP version 9. Do you see
20 that?

21 A. Yes.

22 Q. Do you know what that document is?

23 A. I think it was a Go Global model
24 for how they would run basically -- their
25 financial model from buybuy BABY.

1 A. Malhotra

2 Q. Did you open or view at any time
3 their model?

4 A. I had a quick look at it, yes.

5 Q. The contents of this email is a
6 Dropbox link. Do you see that?

7 A. Yes.

8 Q. Do you know how Dream On Me shares
9 and stores documents and information?

10 A. They use Dropbox quite a bit on the
11 Dream On Me side. On the buybuy BABY said we
12 use Microsoft Teams.

13 Q. I'm asking about the Dream On Me
14 side for now.

15 A. All I know is this is a Dropbox
16 link and especially at that time I did not
17 have full access to their internal sharing
18 tools and all that.

19 Q. My question is, do you know if
20 Dream On Me used another platform other than
21 Dropbox to share or store documents and
22 information?

23 A. I don't know.

24 Q. Do you remember or know why Avish
25 is sending you this email?

1 A. Malhotra

2 A. No. I mean -- this is sort of Go
3 Global's views and the background about the
4 funds and the buybuy BABY investor
5 presentation.

6 So yeah, just information about the
7 meeting from the past week, I believe. I
8 believe this was after the meeting.

9 So you have to remember, this is -- Go
10 Global wasn't like the only thing -- it was a
11 very, very tiny portion of the work that was
12 going on at that time.

13 So if I had like, you know, 24 hours a
14 day, this would be like a quick, okay, this
15 is their looking at what was happening.

16 It's not like we were obsessing about
17 it. We were very, very busy with talking to
18 the Baby people, figuring out plans, figuring
19 out what was going on, who is who and all
20 that stuff.

21 Q. What other work were you doing at
22 this time?

23 A. Related to the acquisition, that
24 was the other work.

25 Q. Okay. I'm asking what other work

1 A. Malhotra

2 related to the acquisition were you doing at
3 this time?

4 A. Going deeper into the Lazard data
5 room.

6 I think that was probably after I raised
7 the IBM question. So talking to the folks at
8 buybuy BABY, figuring out who was who, what
9 was happening.

10 I think the CTO was about to go or had
11 already gone on a vacation right at this
12 critical time. Just consuming all the
13 material and formulating all different
14 options at this time.

15 I think we are also -- the date for the
16 IP bid always kept on moving. The going
17 concern bids, they kept on moving. So there
18 was a lot of noise in terms -- just constant
19 phone calls and everything. So it was an
20 insanely busy time.

21 Q. At this point in time June 15, did
22 you feel like you had the information you
23 needed?

24 A. Needed for what?

25 MR. MURPHY: Yes, can you clarify

1 A. Malhotra

2 that?

3 Q. Sure. Do you feel like you had the
4 information you needed to --

5 I guess, let's take it topic by topic.
6 Did you feel you had the information you
7 needed with regard to the tech stack
8 migration?

9 A. Um, I had a pretty good idea of how
10 we would approach the tech stack migration.

11 There was a lot of negotiation with
12 Lazard and Alixpartners in terms of how we
13 would draft the APA. And the APA was
14 basically the asset purchase agreement, what
15 would be in there and how the TSA would be
16 formulated, what would be in the TSA or not
17 in the TSA.

18 So there was a bunch of conversations
19 all in real time going on at this time.

20 Q. You had those conversations of
21 June 15?

22 A. Yes, I believe so.

23 Q. Did you ever click on this Dropbox
24 link?

25 A. Yes, I did.

1 A. Malhotra

2 Q. What else was in there when you
3 clicked on it?

4 A. There were documents -- I think it
5 was Thoryn's data room. It looked like very
6 similar documents and these documents were
7 there. Basically it was a copy of the Antora
8 data room.

9 MR. MURPHY: He's referring to
10 Ankura.

11 Q. Ankura? I was going to ask you,
12 Antora -- if I tell that you Go Global -- if
13 I represent to you Go Global was working with
14 an entity called Ankura, is that what you're
15 referring to?

16 A. Yes. Yes.

17 Q. Do you know if you circulated this
18 Dropbox link to anybody?

19 A. I did not.

20 Q. Do you know if you ever clicked on
21 it again after reading this email?

22 A. Maybe. I'm not sure.

23 Q. Did you look at the Go Global
24 financial model?

25 A. Yes.

1 A. Malhotra

2 Q. I believe you said you just skimmed
3 though it, right?

4 A. Yes. I mean I looked at the
5 highlights and it was basically they had a
6 layer on top of whatever buybuy BABY had
7 talked about. That was my takeaway, but --
8 but I was more concerned about how --

9 Look, I was more concerned about the TSA
10 because it really didn't matter what -- look,
11 my sort of background is a lot of people make
12 all sorts of plans and it didn't really
13 matter.

14 What really matters is what is actually
15 out there and what is actually working. It's
16 easy to make plans and easy to pontificate,
17 but they're almost always meaningless.

18 Q. What do you mean there was a layer
19 on top of --

20 A. Like they had a cover -- like they
21 had a cover, put their name on a lot of what
22 we were already talking to buybuy BABY about.
23 That was my recollection.

24 Q. How long would you say you looked
25 at this financial model for?

1 A. Malhotra

2 A. Model, maybe --

3 Q. To be clear, I'm referring to the
4 1.6.1 GG baby LRP model.

5 A. Few minutes or --

6 Q. Okay.

7 A. Okay. You know, sort of okay
8 that's what they're thinking and it wasn't
9 anything interesting because it goes on five
10 years. It's completely meaningless when
11 you're trying to try a lot of real issues of
12 how a TSA is going to work and even if what
13 buybuy BABY was claiming was even viable.

14 Q. There were a lot of issues that you
15 had to address at this time in terms of the
16 acquisition of buybuy BABY's assets?

17 A. There always are. Even after we
18 acquired these assets it was, you know, we
19 had to constantly prod them, ask them where
20 is this information.

21 You know, they were sending files from
22 old systems. So any acquisition, if your
23 view is that oh, you come up, you write a
24 thesis, it always goes smoothly, that doesn't
25 happen. That's where people get tripped up.

1 A. Malhotra

2 You have grandiose plans to seal the
3 deal, but to actually make it work, which was
4 our responsibility, you have to go really
5 deep and figure out exactly what is going on
6 in today's world.

7 Because unless you figure out or, as I
8 figured out, what is exactly happening in the
9 way buybuy BABY was being run today, it's
10 meaningless to talk about any future plans.

11 An example, like they were clearly not
12 done with the Oracle migration when we
13 acquired the asset. The CTO asked me for
14 [REDACTED] to complete the migration before
15 we even made a dollar.

16 This was a company that was so used to
17 working with big operations, big spend and
18 all those things and they were totally
19 disconnected, even to themselves. The CTO,
20 everyone was totally disconnected on how the
21 business actually ran.

22 Q. Would you have liked, at this point
23 in time, June 15, would you have liked more
24 time to work on whatever the work you were
25 doing in relation to the acquisition of

1 A. Malhotra

2 buybuy BABY's assets?

3 A. It's a continuous process. At the
4 time I was working 20 hours a day, weekends
5 and everything.

6 Q. So you were working seven days a
7 week?

8 A. Yes.

9 Q. For how long?

10 A. It went pretty much until we
11 launched. It was pretty intense.

12 Q. From when you began working at
13 Dream On Me?

14 A. When I began working the amount of
15 information that was there, talking to the
16 people, coming up with plan A, B, C, how
17 we're going to approach it, the shifting
18 court dates, the terms changing, the estate,
19 then finally saying we don't want to do the
20 TSA, us formulating now that we have the
21 asset, how are we going to make sure we are
22 executing on a plan, get something out there,
23 it was a very, very -- as you can imagine,
24 when you have an asset purchase agreement,
25 basically you acquire the asset.

1 A. Malhotra

2 On August 1, we had a sheet of paper
3 that said we own buybuy BABY. So to redo
4 everything from scratch is quite a bit.

5 Q. Is it fair to say there was a lot
6 of -- in the process in relation to this
7 potential acquisition, there was a lot of
8 information?

9 A. Yes.

10 Q. Fair to say it was a fluid and
11 dynamic process?

12 A. Yes.

13 Q. Is part of the reason because dates
14 kept getting changed?

15 A. Dates kept getting changed and also
16 there is obviously things that people share
17 and then you find out what is actually
18 happening. There's terms getting changed by
19 TSA. No TSA. We are doing an IP auction.
20 We're doing a going concern auction. Now
21 we're doing an IP auction. We canceled the
22 going concern auction.

23 All those things meaning you have to
24 recalibrate and make sure that the pieces are
25 still intact.

1 A. Malhotra

2 Q. Is it fair to say that the timeline
3 which you had to complete this was fairly
4 compressed?

5 A. It always is. I mean it's --
6 again, from my previous work with diligence
7 work, it's always -- there's always a lot
8 going on and a lot of information to process,
9 not only consuming the information and
10 figuring out the question behind the
11 question.

12 So investment diligence initiatives like
13 this are always very compressed.

14 Q. I'm not talking about other
15 diligence or other cases.

16 I'm just asking about in this case, was
17 there a lot of information to process over a
18 short amount of time?

19 A. I'm saying as is with other
20 diligence, yes.

21 Q. You agree?

22 A. Involved in any diligence where we
23 have all the time in the world and, you know,
24 you have all the information in the world, I
25 don't think that ever exists anywhere.

1 A. Malhotra

2 Q. This case was no exception, is that
3 right?

4 A. Right.

5 (Whereupon, at this time, an
6 exhibit was displayed via Zoom.)

7 (Whereupon, at this time, a
8 document was marked as Plaintiff's
9 Exhibit 6, as of this date.)

10 Q. I'm sharing another document with
11 you. It is an email that you wrote Amit,
12 dated July 18, you sent it to Avish. It is
13 two pages. The first page bears Bates number
14 DOM 17348. I think it is going to be Exhibit
15 6. Do you recognize this email Amit?

16 A. Yes.

17 Q. In the first sentence in that first
18 real paragraph you write, "I'm concerned that
19 we have delayed on engaging someone who knows
20 these tables and are instead trying to
21 onboard new resources that are not local to
22 the India DOM team." Do you see that?

23 A. Yes.

24 Q. Can you explain to me what is going
25 on here in that sentence and what you're

1 A. Malhotra

2 writing about?

3 A. Yes. So buybuy BABY was -- this is
4 during the transition of the data after
5 acquiring the asset.

6 And, as I mentioned, a lot of their data
7 was not as well structured. Like I
8 mentioned, it was not Google Cloud, it was in
9 all these older systems.

10 And the size of these tables, these data
11 tables was fairly large and fairly complex
12 and I wanted to make sure that, from a DOM
13 perspective or buybuy BABY perspective, we
14 had the right resources to pull in this data.

15 Q. Would it have been buybuy BABY's
16 responsibility to help you pull in that
17 data?

18 A. At this time buybuy BABY was not
19 formed, I don't think. I'm not a hundred
20 percent sure if it was formed.

21 Q. Let me back up and just help
22 provide the context for you.

23 A. Sorry, I get it. So remember --
24 yes, so buybuy BABY -- no, Bed, Bath &
25 Beyond, Bed, Bath & Beyond was the entity.

1 A. Malhotra

2 All the IT people worked as part of Bed, Bath
3 & Beyond, right. And they were sort of
4 assigned to buybuy BABY, but many of them
5 were, you know, considered themselves part of
6 the broader enterprise. And they were not
7 the most helpful in how they provided the
8 data.

9 I got into many arguments with Vincent,
10 who was the head of IT there, in order to
11 provide this data. You can see all the other
12 executives and some of these folks being cc'd
13 on it.

14 I think they underestimated the work and
15 the capability of their systems to be able to
16 even process their data.

17 To give you a sense, for them to pull
18 one year of data it used to take one day and
19 they needed -- they even needed specialized
20 people on their side to even pull the data.

21 So for us to verify that we were getting
22 the data correctly in this instance, because
23 these were from old data systems, we needed
24 someone who was, in this case, familiar with
25 these data tables, a person who had worked at

1 A. Malhotra

2 Bed, Bath & Beyond many months ago. And we
3 wanted to bring him in as a contractor.

4 Q. I see. Did you end up bringing
5 someone in as a contractor?

6 A. Yes.

7 Q. Do you know who that person is?

8 A. Anuj.

9 Q. A-N-U-J, is that right?

10 A. Yes.

11 Q. Who else, at this time, on July 18
12 was working --

13 A. So there was Steven. You can see
14 the people cc'd here. Steven Kathtan, who
15 was setting up all the systems to pull in the
16 data, and the folks from the DOM team. You
17 have Priyanka, Tulika, Avish, Kaustubh and
18 these folks.

19 Q. All these people were working --
20 were they working underneath you?

21 A. Underneath me and Avish. So if you
22 look at some of the folks were in marketing,
23 so getting the Twitter account, social media
24 accounts transferred, the domain name
25 transferred.

1 A. Malhotra

2 Like Steve was working on that, making
3 sure many of the store contracts in terms of
4 like the connections, all sorts of pieces.

5 When you do an IP transfer, it's just
6 not the data. It is also the rights and
7 access to multiple systems that are being
8 used. Then making sure we had access to
9 those systems as well.

10 Q. In the second paragraph, the first
11 sentence you write, "This is an asset that
12 DOM paid a lot of money for." Are you
13 referring to the tables?

14 A. No, I'm talking about --

15 Q. Just so it's clear, what asset are
16 you referring to in this sentence?

17 A. Buybuy BABY.

18 Q. Okay. Do you know if DOM had
19 acquired buybuy BABY as of this point,
20 July 18?

21 A. Yes.

22 Q. You write in that second paragraph,
23 third sentence, "We also have risk on all the
24 other assets since we have not engaged anyone
25 who has done a retail bankruptcy transfer in

1 A. Malhotra

2 this short duration in the past." Do you see
3 that?

4 A. Yes.

5 Q. By we, are you referring to Dream
6 On Me in that sentence?

7 A. That's right.

8 Q. Had Dream On Me ever done a retail
9 bankruptcy transfer before?

10 A. I don't believe so.

11 Q. Setting that aspect aside that they
12 hadn't done one before, it's your opinion
13 that this was a bankruptcy transfer that was
14 done relatively quickly?

15 A. That's right.

16 Q. Did that pose any difficulties?

17 A. Not if we had the right people. So
18 in this case I just wanted to highlight
19 getting that contractor in immediately, like
20 within the day, as opposed to waiting for a
21 couple of days.

22 Q. Did you get that person?

23 A. Yes.

24 Q. Did you feel that you had the right
25 people in place?

1 A. Malhotra

2 A. Yeah. After I got that person and
3 other people, yes.

4 And, you know, what I heard from the
5 Bed, Bath people was that, you guys were
6 asking for a lot of data and it was very --
7 you guys were very thorough in all the data
8 requests that you had.

9 And I believe they were underestimating
10 us or whatever and we also tend to work at a
11 very fast pace as opposed to, I guess, they
12 were sending the data to Overstock who
13 acquired the Bed, Bath assets.

14 (Whereupon, at this time, an
15 exhibit was displayed via Zoom.)

16 (Whereupon, at this time, a
17 document was marked as Plaintiff's
18 Exhibit 7, as of this date.)

19 Q. This is another email that you
20 wrote, Amit, to Avish. It is dated July 18.
21 It is three pages. The first page bears
22 Bates number 17426. Do you recognize this
23 email?

24 A. Yes.

25 Q. And the first, "We should

1 A. Malhotra

2 immediately get the data resource engaged."

3 Do you see that?

4 A. Yes.

5 Q. Is that a reference to engaging
6 Anuj?

7 A. Yes.

8 Q. Or someone else?

9 A. Yes.

10 Q. And this is sort of like a
11 continuation what you were talking in the
12 previous email?

13 A. Yes. Is the date different?

14 Q. I'll represent they're both are
15 dated July 18.

16 A. Okay, yeah. That's Anuj.

17 Q. You write down here at the last
18 paragraph, first sentence, "Basically the
19 teams need to engage and drive this process."
20 Which teams are you -- do you see this
21 sentence?

22 A. Yes.

23 Q. And which teams are you referring
24 to in this sentence, what do you mean by
25 that?

1 A. Malhotra

2 A. Internal teams within DOM. Steve
3 and the India, there was a bunch of India
4 teams.

5 Q. At this point had those teams not
6 been driving the process?

7 A. No, I was driving the process. I
8 needed to get this off my plate.

9 Q. Okay.

10 A. I said that I put the initial data
11 request list and I said please go deeper and
12 mark up anything else that we might need.

13 Q. The email that this is in response
14 to is written by Avish?

15 A. Yes.

16 Q. And he writes to you, "Hi Amit.
17 What do you need and what is the budget to
18 make IP transfer a success, given what we
19 already have." Do you see that sentence?

20 A. Yes.

21 Q. At that point what did you already
22 have in place?

23 A. That was Steve. I think he had a
24 couple of people within DOM and then the
25 India folks that I mentioned, Kaustubh and

1 A. Malhotra

2 Priyanka and some of the other folks.

3 Q. Anything else?

4 A. No, that was all internal teams.
5 That's what I can recall.

6 Q. And we went over some of this.
7 What did you need in order to make the IP
8 transfer a success?

9 A. I needed -- so first was the
10 data -- we could only verify at the time from
11 that, the data was being sent to us. But a
12 lot of times when you do a raw data transfer,
13 you may be missing the key. So it is not
14 just acknowledging that you got the data, you
15 almost have to start putting it together to
16 make sure that something is not missed by the
17 Bed, Bath people.

18 So that was the one thing, why I needed
19 the data warehouse piece.

20 The second is from the India team and
21 Steve. This is the second point I made.

22 And I think this last paragraph is more
23 summarizing that, like guys, let's get
24 engaged.

25 This is, again, a call to action, no

1 A. Malhotra

2 different than anybody anywhere else, right,
3 where a lot of Avish and I and Mark, we were
4 working on this 24/7 sort of timeline.

5 I think at that point, it was almost two
6 months. And then you bring new people in and
7 they may not understand, you know, the
8 background, the urgency, what they need to do
9 to get them up to speed.

10 This is a more of a call to action,
11 guys, we are together, you know. Because I
12 think they were working on regular DOM stuff
13 as well so it was a call to action to free up
14 their time to be able to work on this, all
15 those things.

16 Q. Okay.

17 A. More of like look, I need you guys
18 to step it up, make sure you're allocating
19 time for this. Let's make sure -- this is
20 going to be a lot of work. Let's make sure
21 we are not only getting the data, but we are
22 understanding how this data is coming in and
23 this data is going to be useful.

24 So I've ceded a lot of time and they
25 send you the data and you look at it later,

1 A. Malhotra

2 we can't make sure of it.

3 Q. Would you have wanted to see that
4 data as part of your analysis and preparation
5 for submission of a bid? Well, the
6 submission of the bid.

7 A. We had a lot of stipulations, but
8 at the end, the estate just said we will not
9 take requests in terms of what you guys want
10 as part of this.

11 And they created one template and they
12 sent it to all the bidders. They're like
13 take or leave it. We will define what we can
14 give.

15 Q. Did you look at that template?

16 A. Yes. That was a big change because
17 we had stipulations on how we wanted to
18 access the data.

19 Our initial drafts were pretty
20 descriptive in what we wanted in the APA.

21 (Whereupon, at this time, an
22 exhibit was displayed via Zoom.)

23 (Whereupon, at this time, a
24 document was marked as Plaintiff's
25 Exhibit 8, as of this date.)

1 A. Malhotra

2 Q. I'm showing you another document.

3 This is eight. This is an email that you

4 wrote, Amit, to Avish, Mark, Mark is cc'd.

5 It's dated July 20. First page Bates number

6 DOM 17801.

7 You write in the first paragraph, second

8 sentence, "In addition, the Bed, Bath team

9 has tendency to send us minimal data from our

10 requests unless we explicitly ask." Do you

11 see that sentence?

12 A. Yes.

13 Q. I believe you spoke a little bit

14 about this, was getting information or data

15 from the Bed, Bath team a problem?

16 A. Yes. Yes. They don't want to do

17 the work and there's a lot of work to do.

18 Q. What work did they not want to do

19 it?

20 A. Basically they had to go to their

21 old existing systems.

22 There were two things in play. This is

23 the 20th of July. By the end of July, a big

24 chunk of their people in the IT staff were

25 going to be let go. Effectively Bed, Bath

1 A. Malhotra

2 and buybuy BABY would be shut at that time.

3 And then they would have a skeleton staff to
4 support us.

5 I want to make it clear, we went in
6 quite deep and we were very specific with
7 these asks. Overstock, which a much larger
8 organization, they seemed to be happy with
9 it.

10 One of the complaints Bed, Bath had was
11 why are you asking for all this data, why are
12 you asking us to verify all this when
13 Overstock is happy with it.

14 And we said no, we need to make sure
15 this is correct and this works.

16 These are people getting laid off from
17 their jobs. They've been through a crazy
18 bankruptcy for about a year, however long it
19 was. This company was going south. So their
20 motivation to do any work was very low on the
21 Bed, Bath side.

22 And clearly after, you're not going to
23 spend days pulling out one year of data when
24 you will be let go in a week.

25 Q. This email is dated July 20, is

1 A. Malhotra

2 that right?

3 A. Yes.

4 Q. This is after Dream On Me had
5 already won the buybuy BABY assets, is that
6 accurate?

7 A. Yes.

8 Q. Before Dream On Me won the assets,
9 were they having problems getting data from
10 the Bed, Bath team?

11 A. The Bed, Bath team, as part of that
12 initial process when in the data room, the
13 data that is provided is high level data. We
14 saw so much. This is top selling. This is
15 that. This is that.

16 This data is specific actual customer
17 records of millions and millions of people.

18 So I don't believe in any organization
19 you can put that kind of information in the
20 data room. This is the asset we are buying.
21 So these are two different data sets.

22 Q. That's fair. But I still want to
23 know if you had trouble getting information
24 before Dream On Me won the bid?

25 A. I think there was trouble getting

1 A. Malhotra

2 access to people because they were
3 disengaged. They were burnt out.

4 Like I mentioned, the CTO went on a
5 vacation right in the middle of all this.

6 So just general things that happened
7 when, you know, an organization is being
8 shutdown and they have different priorities.

9 Q. Can you recall what type of
10 information you were interested in obtaining
11 that you had difficulty obtaining?

12 And to be clear, the time period I'm
13 referring to is before Dream On Me won the
14 bid.

15 A. Before we won the bid, there were a
16 couple of folks in Bed, Bath who were -- so
17 very quickly, what I did, I was went to their
18 second tier of managers and there were a
19 couple of them who were actually very open
20 about this, where we are and this is -- so by
21 that time Baby had a good sense of what this
22 thing was, there was no point to keep on
23 talking about it, what this organization is.

24 We were planning to tear it up anyway,
25 so it was at that time trying to get a sense

1 A. Malhotra

2 of people also.

3 The TSA -- so specifically I don't think
4 they ever refused any information and
5 anything they were sharing with any potential
6 bidder, they were putting it in the data room
7 anyway.

8 By that day, the APA, this was probably
9 a couple of weeks or longer after the APA --
10 I'm trying to remember the timeline when the
11 APA was first given to us.

12 By that time, they just said take it or
13 leave it. This is part of the APA and all
14 bidders will accept the same terms and we are
15 not allowing any bidder to have their own
16 specific requests.

17 You couldn't bid if -- you couldn't
18 bid -- you couldn't have a conditional bid, I
19 will bid for this if I get this or you need
20 to provide me this.

21 At a certain point the estate just said
22 this is what you guys are getting, take it or
23 leave it.

24 Q. In the second paragraph, you write,
25 "I would like to engage Anuj who worked in

1 A. Malhotra

2 Bed, Bath data team in the past for the next
3 few weeks." Do you see that?

4 A. Yes.

5 Q. Anuj is the person you referred to
6 with regard to hiring for certain of those
7 tables we were discussing previously, is that
8 right?

9 A. Correct.

10 Q. You did end up engaging Anuj, is
11 that right?

12 A. That's right. He is now an
13 employee of buybuy BABY.

14 Q. He now is an employee of buybuy
15 BABY?

16 A. That's right.

17 Q. Did you engage any other
18 individuals to assist with this project?

19 A. No. No.

20 Q. Just Anuj?

21 A. Anuj initially, but then within the
22 week we had hired some of the key technical
23 people by the time they had left buybuy BABY,
24 like I think July 31. And we had hired other
25 people from buybuy BABY that we knew would

1 A. Malhotra

2 help us in acquiring the asset and also be
3 the right people to build it -- build the new
4 company.

5 Q. This is the period after which
6 Dream On Me had already won the bid, is that
7 right?

8 A. That's right.

9 (Whereupon, at this time, an
10 exhibit was displayed via Zoom.)

11 (Whereupon, at this time, a
12 document was marked as Plaintiff's
13 Exhibit 9, as of this date.)

14 Q. I'm sharing another email. I think
15 is 9. It's also it doesn't have a Bates
16 number on I will represent that this email
17 Bates number DOM 18198. It is an email from
18 Patty Wu to Avish and Amit. Amit, do you
19 recognize this email?

20 A. Yes.

21 Q. In the middle of the email Patty
22 writes, "For the tech team we would recommend
23 that Amit provide guidance on the revised
24 team structure given he has a perspective and
25 vision on the new business platform."

1 A. Malhotra

2 A. Yes.

3 Q. Do you see that sentence?

4 A. Yes.

5 Q. What was your perspective and
6 vision on the new business platform?

7 A. This was that we were going to --
8 at this time we had won the IP bid and I was
9 already talking to a couple of new vendors
10 given my relationships and also I was talking
11 to -- I mentioned there were people within
12 buybuy BABY who were very interested in the
13 go forward plan who were not the CTO, tier-2
14 managers and some of other staff.

15 With them I was able to put together a
16 view, and I think I've shared that, we were
17 going to use a completely different tech
18 stack for this platform.

19 So it would be ground up brand new and
20 with Shopify, Microsoft, a whole series of
21 vendors that the previous team or Go Global
22 wasn't talking to or thinking about.

23 (Whereupon, at this time, an
24 exhibit was displayed via Zoom.)

25 (Whereupon, at this time, a

1 A. Malhotra

2 document was marked as Plaintiff's
3 Exhibit 10, as of this date.)

4 Q. This is Exhibit 10. This is an
5 email that you wrote Amit is dated August 1.
6 You sent it to Mark and Avish.

7 A. Yes.

8 Q. It's Bates number DOM 18444. Do
9 you recognize this email?

10 A. Yes.

11 Q. You write in the first sentence,
12 "We've been running at an extremely fast pace
13 for the past few months." Do you see that?

14 A. Yes.

15 Q. You agree that the pace at which
16 this deal was done was extremely fast?

17 A. Yes.

18 Q. You next write, "We haven't had a
19 chance to talk about the technology plan, org
20 and budget." Do you see that sentence?

21 A. Yes.

22 Q. As of August 1, had you not
23 discussed the technology plan with Mark or
24 Avish?

25 A. That is not true.

1 A. Malhotra

2 Q. You write we haven't had a chance
3 to talk about the technology plan, org and
4 budget?

5 A. I want to make sure we understand.

6 Q. Excuse me, I don't mean to
7 interrupt, but I haven't asked a question
8 yet.

9 A. Okay.

10 Q. At this point in time, did you have
11 a technology plan?

12 A. Yes.

13 Q. What was that plan?

14 A. I believe I've shared it in the
15 next slide, in the attachment to this email.

16 Q. Okay. That's fair enough. We'll
17 get to that.

18 I would like you to share with me what
19 you remember about that plan?

20 A. So this plan was quite a few
21 weeks -- right from the get-go I was thinking
22 about what would work. I was talking to
23 people within the industry, texting,
24 following up with them, talking to different
25 folks and formulating what would be the plan,

1 A. Malhotra

2 what would be different approaches that
3 would -- we would take depending on how the
4 auction plays out, who would be the people.

5 This email is more of a line in the sand
6 to sort of summarize all that.

7 So that doesn't mean that I haven't
8 actually talked about, you know, these things
9 separately in different components, but this
10 was just more around putting it into a
11 package and giving a summary to Mark.

12 So we were constantly talking about
13 these things. But, as you can see, the email
14 from Patty Wu -- what was the date from Patty
15 Wu? Can you go back? I think you are
16 referring to --

17 Q. This email?

18 A. The email from Patty Wu, 25th of
19 July. We're talking about very specific
20 budgets. My email to Mark was more of a
21 summary of all the things, sort of the moving
22 pieces so he has one clear view of everything
23 together.

24 So it was more look a formal line in the
25 sand type of email as opposed to that is the

1 A. Malhotra

2 first time I mentioned that.

3 Q. For clarity, we jumped back to what
4 I believe is deposition Exhibit 9, Bates DOM
5 18198. That's the Patty Wu email.

6 You said that you were having
7 conversations within DOM about the technology
8 plan, is that fair to say?

9 A. Within DOM and also outside with my
10 network.

11 Q. Who were you speaking to outside of
12 DOM about this?

13 A. Well, for example, we were looking
14 at Shopify and I know people there, and I was
15 trying to get their readiness.

16 By this time we even have a prototype
17 ready with Shopify by August 1. We already
18 signed up with them. Looking at a lot of
19 backing systems, picking which ones we will
20 pick, which ones we may not pick, how the
21 staff is going to look like, all those
22 things.

23 We were just looking at what you talked
24 about, tech stack. You make a list. I need
25 someone to do this, I need somebody to run

1 A. Malhotra

2 marketing, to store data, advertising.

3 So we had picked and we were already
4 implementing those things. A lot of things
5 were already that Mark is seeing, that I sent
6 as a summary to Mark, were already in place
7 or being put in place.

8 Q. Do you believe you were having
9 conversations with Mark about the technology
10 plan?

11 A. Before this?

12 Q. Yes, before this.

13 A. Yes. Yes. I mean, he's not deep
14 on technology, to whatever he can understand.
15 We are trying to take a very different path
16 here in terms of how we're going to do this.
17 So those were conversations I had with him.

18 And we were going to run very
19 differently than the way buybuy BABY and
20 Oracle and all that stuff, we're going to do
21 different, all those things.

22 Q. Do you remember the first
23 conversation you had with him about the
24 technology plan when that was?

25 A. I think -- so it was before we bid.

1 A. Malhotra

2 It was maybe even before -- I remember Mark
3 asking me in a very early conversation not
4 long after I joined, he says if we get this,
5 can you do it? And, you know, I said yes.

6 Q. Why did you say yes?

7 A. Because I knew we could do it and
8 we did it.

9 Q. How did you know you could do it
10 though, what were you basing it on?

11 A. Basing it on the scope of what the
12 business needed to be, if we were -- there
13 were two sorts of roles, two approaches. If
14 you were doing an ongoing concern, what
15 things we may need to do with the team and
16 what the TSA may look like. We had the
17 technical capability to do it. At least I
18 had it.

19 Based on my experience, this is --
20 retail is not a terribly hard business.
21 Health care and all those are much, much
22 trickier. This is -- the way many retail
23 companies are run right now, run with very
24 old technology and if you look at new
25 technology platforms, they let you do

1 A. Malhotra

2 things -- for example, our current data
3 systems can put ten years of system within an
4 hour versus this gigantic organization with
5 hundreds of millions of investments would
6 take a day to process one year of data.

7 Q. If you could finish the last --
8 repeat the last part.

9 A. Yes, many retail companies have
10 very antiquated technology and they
11 overcomplicate things and I know that newer
12 technology, newer components and pieces can
13 easily, not easily, but in a very doable way
14 give you pretty much the same outcome.

15 And many companies don't take advantage
16 of it so we could do it at a far lower cost
17 and in a quicker manner than being dependent
18 on whatever systems Bed, Bath and buybuy BABY
19 were running on.

20 Q. Before you sent this email to Mark
21 with the baby tech attachment PDF, had you
22 ever sent Mark a draft of the technology
23 plan?

24 A. Mark -- I may have drawn on a white
25 board or something.

1 A. Malhotra

2 You have to remember again, about the
3 pace at which everything was going on and
4 Mark is not a very PDF email person. He
5 likes to see things in person. He likes to
6 talk in person. He's the look you in the
7 eye -- look you in the eye kind of person and
8 ask you questions.

9 So conversations with Mark and the
10 culture at DOM is a lot conversational then
11 almost any other place then I've ever been
12 at.

13 Q. I understand that. My question is,
14 did you show him a draft or final technology
15 plan at any time before August 1?

16 A. Not in a cohesive way. Did I tell
17 him that we are talking to these vendors,
18 this org, here are some of the people we are
19 looking at, we're way under budget. Because
20 I already talked with Patty Wu, but I had not
21 sent a draft of this to work.

22 Q. Do you know when you began first
23 drafting this baby tech document?

24 A. This was from -- in terms of
25 components, it was probably within a week of

1 A. Malhotra

2 looking into getting this engagement because
3 I was always thinking about what would be a
4 future view of how this business is going to
5 work.

6 Q. Okay. In this second sentence you
7 say, "We haven't had a chance to talk about
8 the technology plan, org and budget. I've
9 been focusing on the technology."

10 Is the org and budget, is that
11 information contained in this baby tech PDF
12 attachment?

13 A. Yes.

14 Q. Let's talk about the organization.
15 So what was your plan for the organization?

16 A. Plan for the organization was to
17 get very small -- so the whole Baby team had
18 recommended that we hire about 60 people or
19 so from the technology team and, you know, be
20 on that path working with Oracle, Infosys,
21 keep all the vendors and all that stuff.

22 I didn't feel that was necessary. I
23 think we ended up hiring four or five people
24 and getting a very small team and then
25 partnering with companies who were very

1 A. Malhotra

2 specialized in, you know, launching the
3 platforms that we had picked on Microsoft and
4 on Shopify and some of these other products
5 that we ended up with, tech stack.

6 Q. And how did you come to those
7 conclusions?

8 A. How did I come to those
9 conclusions? I've been working on this for
10 30 years, this is what I do.

11 Q. Well, you haven't been working on
12 this specific project for 30 years, is that
13 accurate?

14 A. People that work on this specific
15 thing for 30 years have no clue how to design
16 a future project.

17 Q. Respectfully, Amit, I will ask you
18 some very direct questions.

19 A. I'm being very clear here.

20 Q. I'm asking you --

21 A. Yes.

22 Q. I'm asking you the basis for how
23 you came to this. You said your experience
24 for 30 years.

25 MR. MURPHY: Which is a fair

1 A. Malhotra

2 answer.

3 Q. Anything else?

4 A. The conversations I had with
5 industry folks. I know folks at Shopify. I
6 looked at -- Shopify, for example, is treated
7 in the industry as a platform for low end
8 E-commerce, but I went and talked to them. I
9 looked at it and they're running Staples
10 Canada.

11 I talked to a number of companies that
12 are using Shopify at scale, for example, just
13 as one piece.

14 And I know the way technology works.
15 I've seen it many, many, many, many times
16 companies will continue to either overspend
17 or overbuild. And having these conversations
18 with Oracle and all those kind of players --
19 for example, we don't use Salesforce. We use
20 Klaviyo. That is our email and customer
21 engagement platform. Those platforms are far
22 superior and are available for a fraction of
23 the cost.

24 Q. I didn't mean to interrupt.

25 A. Go ahead.

1 A. Malhotra

2 Q. You said you spoke to people
3 outside of Dream On Me in coming to your
4 conclusions with regard to the technology,
5 org and budget plan, is that right?

6 A. Yes, and research, a lot of
7 research.

8 Q. Did that include speaking to Go
9 Global?

10 A. No.

11 Q. Why not?

12 A. Because after -- look, outside of
13 that one short window where we had that
14 meeting, and by that Thursday I didn't think
15 about Go Global until like in October or
16 something.

17 Go Global was not -- it was a very
18 parasocial relationship. We were not
19 thinking about them and they were not in our
20 mind. It was out of our mind. We had other
21 fish to fry.

22 I know Go Global, this lawsuit looks
23 like it is like they were in our head space.
24 I was not thinking about them at all.

25 Like after that thing, we were just so

1 A. Malhotra

2 busy with all the other things as you can
3 imagine. They had 300 plus systems and we
4 had to vet every one of them and make sure it
5 works, what the stack is going to look like.

6 We basically needed to higher tens and
7 tens of people that we need across all
8 functions. So after that last connection
9 with Go Global, it was out of site, out of
10 mind. This was no conversation, no nothing.

11 Q. Well, I'm not asking about what
12 happened after you stopped talking to Go
13 Global. I'm asking when you did speak to Go
14 Global.

15 A. That was a flash in the pan. It
16 wasn't like -- it wasn't anything, Go Global.
17 It's not like -- I think we are -- okay, it's
18 almost like you're going through your day,
19 someone comes by, asks you for a dollar or
20 something, then they go away. You're not
21 thinking about it at all. You're focused on
22 your own thing.

23 So I'm trying to communicate to you
24 like, Go Global wasn't central to my thinking
25 or even in my head space. So I wasn't

1 A. Malhotra

2 thinking about them or asking them or even
3 the conversation was like there's a potential
4 partnership maybe talk to these guys, see if
5 they're good. They talk a big game outside
6 the media, but not that, you know, kind of
7 like nothing interesting. We just moved on.

8 Q. You moved on after June 16, 17 or
9 thereabouts?

10 A. When I say moved on, I mean that
11 one conversation was like there's nothing
12 here, even from my tech perspective. They
13 were just doing whatever the buybuy BABY team
14 was telling them and I had lost faith in the
15 buybuy BABY's team to execute.

16 That's why I fired the entire team. I
17 didn't hire any of those guys. I didn't hire
18 the CTO that Thoryn said was actually good.
19 They had -- I didn't hire any of the people
20 that they put in the recommendation list.

21 (Whereupon, at this time, an
22 exhibit was displayed via Zoom.)

23 (Whereupon, at this time, a
24 document was marked as Plaintiff's
25 Exhibit 11, as of this date.)

1 A. Malhotra

2 Q. I'm sharing another document with
3 you. This is a technology road map, buybuy
4 BABY start. It is eight pages and bears --
5 first page has Bates number DOM 18445.

6 A. Right.

7 Q. Do you recognize this document,
8 Amit?

9 A. Yes.

10 Q. Is this the baby tech document that
11 was attached to the August 1 email I just
12 previously showed you?

13 A. Yes.

14 Q. Did you draft this document?

15 A. Yes.

16 Q. Did anyone else help you draft it?

17 A. I've shown a preview to Avish.

18 Q. So just Avish saw a preview and no
19 one else.

20 A. No one else.

21 Q. Did anyone help you draft this
22 though?

23 A. No.

24 Q. Did you review this document with
25 anyone at Dream On Me?

1 A. Malhotra

2 A. Probably with Steve. I'm trying to
3 recollect. Not a hundred percent sure. If I
4 would have, I would have been previewing it
5 with Steve and then, of course, I showed it
6 to the team that we ended up hiring saying
7 this is what we got -- here's a summary of
8 everything that happened and here's where --
9 what we're going to do. Here is how we're
10 going to think about it at a very high
11 level.

12 This was more of a Mark document. This
13 wasn't like I would give it to the team to
14 execute. We had so many -- the team
15 understood what needed to be done. They were
16 very much focused. This was high level for
17 Mark to sell him the idea that hey, this is
18 what we're doing.

19 Q. I know you emailed the document to
20 Mark. We saw that. Did you show Mark this
21 document and have a conversation with him
22 about it?

23 A. Yes.

24 Q. Was that in person?

25 A. Yes.

1 A. Malhotra

2 Q. What was that conversation like?

3 A. The conversation was look, this is
4 where we started. There were all these sorts
5 of plans of how people were trying to solve
6 this problem of what a going concern would be
7 and we pivoted to rebuild the asset and we
8 rebuilt the whole stack.

9 It was tailored and oversimplified for
10 him, but it gives a recap of what are some of
11 the resources we need, what are some of the
12 areas we're going to start investing in, are
13 we going to bring in some vendors. I don't
14 recall every page of it right now.

15 Q. Were you involved in determining
16 the amount of stores that Dream On Me should
17 purchase?

18 A. There was a model that
19 Alixpartners, the finance person at
20 Alixpartners, I think it was at Alixpartners
21 working very closely with us, what the asset
22 could do.

23 The thinking was that it needed to be 50
24 stores to achieve profitability, but we were
25 very concerned now that we are going to go

1 A. Malhotra

2 dark, because we have an asset purchase, the
3 goal was to restart as many as we could.

4 I know Mark was very much focused on
5 acquiring the stores. I don't know how much
6 Avish was spending time on that. And then he
7 was trying to get those stores from the
8 auction.

9 The auction ended up being a little more
10 competitive than we expected. We thought we
11 would be able to get more stores, but we only
12 could get 11. Then in Baby's document two or
13 three were even marked closure.

14 We knew we wanted to -- having a going
15 concern, a company that is operational is
16 very important. We did not want to be one of
17 those people where we go dark and a year
18 later when people have forgotten the brand,
19 we launch.

20 And you have to remember, this is the
21 baby market. So a lot of moms who are
22 already having babies would have had their
23 babies and new moms would say, this company
24 doesn't exist. Keeping that alive in the
25 mind of the customer was very important for

1 A. Malhotra

2 us.

3 Q. Was it useful to look at some
4 of the other like store models in arriving
5 at the store model that you ultimately
6 used?

7 A. Yes. I think they shared, Patty
8 and I, I forget that person in Alixpartners,
9 she was pretty involved. They had presented
10 fewer store models, more store models, all
11 those kind of things.

12 There were multiple store models being
13 tossed around and shared. I don't remember
14 how many iterations of which stored models
15 and where it ended up.

16 Q. You looked at those models, right?

17 A. Yes.

18 Q. Did you find them useful?

19 A. I found them useful, but again, as
20 I mentioned, you can -- that gives you a
21 directional, yes, we do need to have a bunch
22 of stores.

23 My focus was very much around not
24 having -- for my perspective, and I impressed
25 this upon Mark and Avish and my team, the way

1 A. Malhotra

2 I was approaching this, we could take a month
3 off and start planning and put all sorts of
4 things in place. Most people are terrible at
5 doing that. So we would focus our time and
6 getting this up and back online.

7 Q. Why did you find looking at these
8 models useful?

9 A. Well, to make sure there is a there
10 there, which means at the end of this there
11 is a business, there is some model which is,
12 you know, which is going to make money.

13 But honestly, like from my perspective,
14 I wanted us to get started and reimagine what
15 stores mean, because a lot of this was legacy
16 business that was running in a standard
17 format for 10/15 years. Customers who were
18 really the retail customers in 2018, 2019
19 pre-Covid are very different than customers
20 in 2023.

21 So from my perspective, getting back out
22 there, opening some stores would then give us
23 a lot of 2023 data on exactly how the
24 customers and the market is responding and
25 behaving.

1 A. Malhotra

2 Q. I'm moving to page -- it looks like
3 three, just for the record. This is DOM
4 18447. Do you recognize this particular
5 slide?

6 A. Yes.

7 Q. Can you just tell me what is going
8 on in this slide?

9 A. So this was a recap because
10 initially we were saying there was this
11 concept of TSA. You guys are aware of TSA.

12 Steven, you probably have gotten into
13 the TSA and looked at the document.

14 Q. I'm aware of it, yes.

15 A. So again, so the first pass of the
16 TSA that buybuy BABY had given, I want to
17 give Mark this idea, that first pass was, you
18 know, it's going to cost us [REDACTED].

19 Around the time where -- and I have
20 mentioned Go Global was there, again that
21 data was shared back officially through the
22 Lazard data room. The second number was
23 shared to the Lazard data room was okay that
24 [REDACTED] can go to [REDACTED].

25 We looked at three to five months TSA

1 A. Malhotra

2 period, which would cost an additional [REDACTED]
3 to [REDACTED], but that means that we
4 basically shut down for a period of time, go
5 dark and still spend even if we -- I think
6 I'm trying to remember these models --

7 So the key point here is that getting,
8 being dark, mean the stores shut down and we
9 take a long time based on the existing
10 approach that buybuy BABY had taken.

11 Even if we drilled then further from the
12 [REDACTED] to a [REDACTED] number, which is
13 what the Baby team was sort of coming up
14 with, if we use Oracle and all their plethora
15 of vendors and worked a little bit with their
16 existing platform, it would still cost us
17 money and we would be dark for nine months or
18 even three to four months.

19 This is the case why I didn't want to
20 hire any of the existing buybuy BABY team
21 because they were just used to the corporate
22 world and to do a restart, spend only as we
23 are starting to scale and we would be dark
24 only for one month.

25 I had internally set a goal for one

1 A. Malhotra

2 month to have all the technology platforms
3 and everything operational at least to just
4 get the ball rolling in a limited sense.

5 Q. Did you get the technology platform
6 up operational within that one month period?

7 A. Yes, I did. The first order we
8 placed that went end to end was exactly one
9 month after, was September 1 at midnight or
10 something like that. Of course, the
11 inventory and all that hadn't come in so I
12 ended getting a pet bed for my dog.

13 We wanted to make sure I could order
14 something and everything sort of flows
15 through it and the payment is made, the
16 payment is captured, we are recording, the
17 data comes in, the shipping labels are
18 generated, goes to the warehouse and
19 everything comes out of there.

20 Q. The second red circle from the
21 left, which says [REDACTED], three to four
22 months TSA and [REDACTED] to [REDACTED] under that,
23 can you walk me through those numbers real
24 quick, what they mean here?

25 A. So the -- buybuy BABY's team had

1 A. Malhotra
2 spent -- their current spend was
3 [REDACTED]. They said that if we covered
4 buybuy BABY the first pass that they've done
5 was -- it will cost us [REDACTED]. I think
6 in the red after Go Global had talked to them
7 around that time, they had published a new
8 document saying that this is published, this
9 is the data room, it will cost us [REDACTED]
10 and three to four months TSA.

11 Red circles are different models of
12 using existing technology.

13 I went further and I felt that we could
14 take that [REDACTED] down to [REDACTED] and [REDACTED] after I talked
15 to the buybuy BABY team and there was some
16 more opportunity there.

17 Like I mentioned, there were -- things
18 were entirely not useful. Like you talk
19 about Google, you talk about Akamai, but
20 still what it really meant was even in the
21 best scenarios that we -- that buybuy BABY
22 vendors were giving us, which we know in IT
23 or tech if they said three to four months, it
24 will be six and eight, nine, ten months and
25 you can call the lawyer and argue with them,

1 A. Malhotra

2 but your stores are shut. It will still be
3 dark.

4 Look, we should not do any of this. We
5 should dump this entire thesis of how the
6 buybuy BABY people are thinking about it, how
7 the leadership is thinking about it and do it
8 our way.

9 Q. Just to clarify, the thesis that
10 would have fallen -- that would have fallen
11 under BBB's working Go Global platform
12 estimate, that was a document that was shared
13 through the Lazard data room?

14 A. Yes.

15 Q. Okay.

16 A. You'll see it formally in an
17 ongoing computer cost.

18 Q. Going to the last page in this
19 model, this document, this page bears Bates
20 number DOM 18452, and the slide is titled how
21 did we get here? Do you see that at the top?

22 A. Yes.

23 Q. Do you see, I'll highlight it for
24 you, one of the steps listed is how Dream On
25 Me got here was review Go Global's tech and

1 A. Malhotra

2 product plan, understand how they think they
3 can pull this off by reviewing their tech
4 stack partners and risks on Dream On Me if
5 this approach is followed.

6 A. Yes.

7 Q. Do you see that?

8 A. Yes.

9 Q. Was that one of the steps in how
10 Dream On Me got here?

11 A. That was not a build-up step. It
12 was a point in time. And, like I said, their
13 tech stack, whatever they were talking was no
14 different than what buybuy BABY was doing.

15 It's not like they had a unique -- it
16 was -- if you look at buybuy BABY, they were
17 evolving so we were pushing them, all the
18 bidders were pushing them to continue to
19 drive their costs lower. As they were
20 driving their costs lower, they were
21 publishing those plans.

22 So this was the same buybuy BABY stack
23 or whatever it is that buybuy BABY was doing
24 because what Go Global was doing was talking
25 to the same vendors. We talked about Oracle.

1 A. Malhotra

2 We talked about Salesforce. They were
3 talking to the same force that the buybuy
4 BABY team was in partnership with.

5 So it wasn't anything unique or
6 different than -- if you see another one,
7 right, there wasn't anything sort of unique
8 or different. It was just following along
9 whatever buybuy BABY team was saying. This
10 is how we think this asset will be separated.

11 Q. How do you know what Go Global was
12 proposing was what just what buybuy BABY was
13 proposing?

14 A. Because that's what they talked
15 about. They were talking about the same
16 vendors. They were talking about the same
17 approaches.

18 Q. Okay.

19 A. There wasn't anything new or
20 something different I heard in the
21 conversations.

22 When I would talk to the buybuy BABY
23 people, they will say yeah, this is -- we
24 were working with Go Global. This is what we
25 have published because they had spent time

1 A. Malhotra

2 with them. They thought they were going to
3 be bought by Go Global so they were following
4 that path.

5 Q. When you spoke to Thoryn Stevens
6 from Go Global, did you get the same sense
7 from him as well?

8 A. Yes. I think I mentioned that.

9 Q. You didn't learn any information
10 you didn't already know from Thoryn Stevens?

11 A. I did not, in talking to Thoryn
12 Stevens, I guess I was not aware of how -- I
13 thought that they might actually have
14 something different, but I learned that they
15 were just following the same plan, which was
16 personally, it was like oh, well, for all
17 their marketing and everything --

18 Q. Did you review Go Global's tech
19 plan?

20 A. I don't think there was a tech
21 plan, anything different. I don't recall
22 reviewing a document called here's our tech
23 plan and product plan apart from, you know,
24 like I mentioned, the stabilize and then
25 we'll transition or --

1 A. Malhotra

2 Q. You wrote this document, is that
3 right?

4 A. I don't recall seeing a document
5 or --

6 Q. No, you wrote the document we're
7 looking at right now, you wrote this --

8 A. Yes.

9 Q. -- technology road map?

10 A. Yes.

11 Q. And you wrote this line?

12 A. Yes.

13 Q. Did you write this entire slide?

14 A. Yes.

15 Q. Did you review Go Global's tech
16 plan?

17 A. The tech plan as in -- when you say
18 review, I don't recall if there was an actual
19 document that they produced that -- I
20 understood what their thinking was in terms
21 of their tech plan so --

22 Q. You spoke to Go Global about their
23 tech plan?

24 A. Right.

25 Q. And you got an understanding of

1 A. Malhotra

2 their tech plan, is that right?

3 A. I'd a sense of their tech plan, not
4 in detail because it was just one
5 conversation and they were following the same
6 path.

7 I think you are alluding to a document
8 that I don't recall where they had, you
9 know --

10 Q. I'm not alluding to anything. You
11 wrote this sentence.

12 A. I wrote this sentence, but you need
13 to understand the meaning behind the sentence
14 is getting an understanding of how Go Global
15 was approaching this as opposed to reading a
16 20 page document where they have details on
17 anything.

18 Q. Did you get an understanding of how
19 Go Global was approaching the --

20 A. I had a sense of their approach
21 which, I said, was very similar to what was
22 being shared by buybuy BABY and then legally
23 speaking, that gets shared back to the Lazard
24 data group.

25 Q. Just sir, are you an attorney?

1 A. Malhotra

2 A. No.

3 Q. Okay.

4 A. My understanding is any
5 conversation with Go Global and buybuy BABY
6 on how -- what information is requested or
7 what plans are created had to be shared back
8 to the Lazard data room.

9 Q. Before you spoke with Go Global,
10 did you have an understanding of what their
11 tech plan was?

12 A. Go Global's? No.

13 Q. Before you spoke with Go Global did
14 you have an understanding of what their
15 product plan was?

16 A. No.

17 Q. When you spoke with Go Global did
18 you get an understanding of what their
19 product plan was?

20 A. I had a high level understanding of
21 their approach, that they're following
22 whatever buybuy BABY was doing.

23 Q. Before you spoke with Go Global,
24 did you know or have an understanding of what
25 their tech stack was?

1 A. Malhotra

2 A. No, but again, I want to mention
3 that when we were talking to them, we talked
4 to Oracle and all these guys, wait a second,
5 all the existing systems are on IBM and Go
6 Global or Thoryn wasn't thinking about that
7 or where their existing system was in.

8 He was bought into the whole narrative
9 of what buybuy BABY was telling him.

10 Q. Before you spoke with Go Global,
11 did you know or have an understanding about
12 potential partners that they might be
13 interested in?

14 A. No.

15 Q. Did you get an understanding --

16 A. Let me rephrase it. I knew that
17 they were trying to get money from the Perot
18 family.

19 Q. P-E-R-O-T.

20 A. The Perot family.

21 Q. You knew that before you met with
22 Go Global?

23 A. Before I met with Thoryn.

24 MR. MURPHY: Clarify, he talked, he
25 didn't meet with him.

1 A. Malhotra

2 MR. BERLOWITZ: Fair. Fair.

3 Q. You knew that before you spoke with
4 Thoryn?

5 A. Yes.

6 Q. Before you met with Go Global
7 and/or Thoryn?

8 A. Let's make it Thoryn because I
9 didn't meet with Go Global.

10 Q. Fair enough. Before you met with
11 Thoryn, did you know or have an understanding
12 of the risks of Go Global's plan if it was
13 followed?

14 A. No, but -- let's remember that
15 there was no plan. Like I think there was an
16 idea that they had of --

17 Q. Amit, respectfully --

18 A. Yes.

19 Q. I want you to answer the questions
20 I'm asking.

21 A. Okay. I want make sure that the --

22 Q. I understand, and you will have an
23 opportunity, your attorney can question and
24 can clean up anything you want, but I'm
25 asking very specific questions and this is

1 A. Malhotra

2 going on needlessly long.

3 A. Okay.

4 Q. I don't need to keep you that much
5 longer, but I am going to go for a lot longer
6 and it doesn't need to be that way if you
7 just answer my question.

8 MR. MURPHY: I think he answered.

9 MR. BERLOWITZ: I don't know. I
10 think we should break for launch.

11 MR. MURPHY: It's 1:00 o'clock now.

12 MR. BERLOWITZ: Can I finish this
13 line, is that okay?

14 MR. MURPHY: Yes.

15 MR. BERLOWITZ: Let's take a lunch
16 break. It's fine. One hour.

17 MR. MURPHY: That's fine.

18 MR. BERLOWITZ: We'll come back at
19 two.

20 (Whereupon, at this time, there was
21 a luncheon recess.)

22 A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

23 CONTINUED EXAMINATION BY

24 STEVEN BERLOWITZ, ESQ.:

25 Q. I will share another document with

1 A. Malhotra

2 you.

3 (Whereupon, at this time, a
4 document was marked as Plaintiff's
5 Exhibit 12, as of this date.)

6 (Whereupon, at this time, an
7 exhibit was displayed via Zoom.)

8 Q. This is a WhatsApp texting chain.
9 Can you confirm that's what I'm sharing with
10 you?

11 A. Yes.

12 Q. The first page bears Bates number
13 DOM 10092. It is nine pages long. At the
14 very top it says on June 9 that Amit Malhotra
15 created the group called Bbuy. Is that
16 accurate here?

17 A. Yes.

18 Q. So you created this text group?

19 A. Yes.

20 Q. Do you remember why you created it?

21 A. Just to chat, I guess. Just to
22 make sure all the conversations we were
23 having -- it's a WhatsApp group so there's no
24 deviate plan behind it. Sometimes you create
25 a group to keep the conversations within

1 A. Malhotra

2 context.

3 Q. I'm certainly not suggesting there
4 was anything devious. I just wanted to know
5 why you created it.

6 A. It's a text chat when you text
7 someone that you want to mark it. It's not
8 like I created a group. I'm texting someone
9 then I can say let me type all these as to
10 buybuy BABY.

11 Q. You created this group on June 9,
12 is that accurate?

13 A. Yes, I guess.

14 Q. At this point what work had you
15 specifically done with regard to the
16 potential acquisition of buybuy BABY's
17 assets?

18 A. I reviewed a bunch of their
19 documents on the Lazard data room. I think I
20 mentioned even back in May I had reviewed --
21 I had some idea on like, when I say some
22 ideas, like strong opinions on what this
23 company was, what was going on there, how
24 many IT systems they had.

25 So this was probably just for a specific

1 A. Malhotra

2 conversation around the bidding or something.

3 This is not, to be clear, this is not
4 the universal of all the conversations I had
5 with Avish and buybuy BABY or DOM.

6 Q. I understand. I just also want to
7 circle back and clarify the scope of the work
8 that you were working on with regard to this
9 project.

10 We discussed technology. Were you
11 involved in the technology aspect of this
12 project?

13 A. Was I involved in the technology
14 aspect of this project? Is this a new
15 question or are you trying to find out if I
16 answered it?

17 Q. I apologize if I've asked this
18 before. I believe I have. I'm trying to
19 clarify.

20 I want to know what you were working on
21 at Dream On Me with regard to Dream on Me's
22 acquisition of buybuy BABY's assets. I
23 believe you were working on the technology
24 aspect. If you want to correct me if you
25 can --

1 A. Malhotra

2 A. When you're a small team, it's a
3 focus area for me, but obviously I was very
4 well aware of all the other pieces that are
5 happening. So this isn't like you go do this
6 one box and you stay in this box.

7 So yeah, I mean I was talking and aware
8 of talking of the other pieces too.

9 Q. Were you working on those other
10 pieces?

11 A. Can you define working on? Like
12 what is working on mean?

13 You can see here I'm giving sort of an
14 update on the new store model, for example.

15 And you can see the hearing date is
16 moving. I was just working on technology and
17 I would be tracking the auction dates, but my
18 focus was on the technology.

19 Q. If I use the word responsible, the
20 phrase responsible, would that help clarify
21 what I'm asking you and I'm asking what you
22 worked on?

23 A. Yes.

24 Q. Were you responsible for the
25 technology piece with regard to this

1 A. Malhotra

2 particular project.

3 A. Yes.

4 Q. Were you responsible for due
5 diligence for this particular project?

6 A. Due diligence, the focus was
7 technology and also give my opinion on, you
8 know, what the conversations were that was
9 going on, everything that was going on. It
10 was a small group. That is part of due
11 diligence.

12 Q. Would you say you were responsible
13 for due diligence?

14 A. No, not all of it.

15 Q. Who was responsible for due
16 diligence?

17 A. I think it was combination mainly
18 Avish and myself. We were sort are really
19 thinking it.

20 Milan was kind of giving his opinion.
21 Milan -- so if you look, Mark says we want to
22 do this and what is the data you and Avish --
23 Avish was on point and then I started playing
24 more of the roll as I got sort of deeper into
25 it and then -- it was Avish.

1 A. Malhotra

2 Initially the roles continued to change
3 and evolve as we learned different things
4 about what was going on, what was going on in
5 the media. The dates started moving and all
6 kind of things.

7 Q. In what way did your specific role
8 change and evolve?

9 A. I think giving -- for example,
10 looking at a lot of vendor contracts, again,
11 as related to technology, but in terms of
12 what product -- how would the product
13 platform, how would some aspect of business
14 work, what we can get away with, what we
15 cannot get away with, away with like scoping
16 it out, to launch.

17 I'm kind of thinking if there was a
18 specific -- I guess, it wasn't -- it wasn't
19 that I was responsible for another component
20 or I was responsible for a different model.
21 I am guessing. I'm not quite understanding.

22 Q. I can appreciate that you're trying
23 to give a nuanced accurate answer, but I want
24 you to listen to what I'm asking you.

25 We have talked about this team is small

1 A. Malhotra

2 and therefore people share some work. I
3 understand that.

4 I'm asking for the work that you did
5 specifically and the work you were
6 responsible for, I want to know if you were
7 responsible for all the work in this project
8 because based on your testimony it seems like
9 you had your hands in many pies.

10 A. I mean, I had hands and awareness
11 of many pies, but my core focus was around
12 technology.

13 Q. Is it accurate to say that in
14 addition to technology one of your core
15 focuses was IT?

16 A. Yes.

17 Q. Any other core focus that you were
18 tasked with for this project?

19 A. No. No. Other people -- I was
20 just advising.

21 Q. I understand you did -- you
22 contributed to due diligence, but you were
23 not responsible for due diligence, is that
24 accurate?

25 A. That's right.

1 A. Malhotra

2 Q. Were you responsible for either --
3 were you responsible for the financial model?

4 A. No.

5 Q. Were you responsible for coming up
6 with capital or financing for Dream On Me in
7 relation to this project?

8 A. No.

9 Q. Were you responsible for
10 determining how logistics and supply chain
11 would work in relation to this project?

12 A. Yes. I mean --

13 Q. Okay.

14 A. I did talk to their head of
15 logistics and I reached out to some of my --
16 just in terms of like figuring what are some
17 of the three PL's, the logistics supplier, I
18 spent quite a bit of time with -- I forget
19 the name of the logistics guy that buybuy
20 BABY had, and that was one of the areas I
21 wanted to make sure and they assured me they
22 would have a plan by the end of July on
23 exactly how the logistics is going to work,
24 who the logistics partners would be.

25 Q. Was that work connected to your

1 A. Malhotra

2 work with technology and IT or was that
3 separate?

4 A. It was connected, but again, I was
5 the point person talking to that person at
6 buybuy BABY.

7 Q. Okay.

8 A. That he was supposed to pick a
9 logistics provider and I was asking how many
10 he had picked and who he was talking to and
11 all those pieces.

12 Q. Even if this isn't strictly
13 speaking every single instance, is it fair to
14 say that the work end and responsibilities
15 that you were tasked with, you know, that you
16 were tasked with dealt with technology and
17 IT?

18 A. Yes.

19 Q. Were you responsible for operations
20 in relation to this project?

21 A. Not directly responsible.

22 Q. Did you touch on it with regard to
23 your expertise with technology an IT?

24 A. Yes. Then also as we were talking
25 to different -- talking to different team

1 A. Malhotra

2 members, Avish and I would share notes about
3 what did we think about Patty, some of her
4 reports. We would talk about that.

5 What the teams looked like, who was
6 good, who was bad or, you know, who were the
7 right people to be more specific for the go
8 forward. And in that case, we talked about
9 almost every function.

10 Q. I'm going to try to highlight texts
11 that I want to draw your attention to. I
12 apologize if the highlighting gets a little
13 out of hand.

14 A. Okay.

15 Q. Can you see I highlighted a portion
16 that I've marked for you?

17 A. Yes.

18 Q. This portion reads, this is
19 something that you wrote, "Someone driving
20 hard for a carve out with similar thought
21 process to us."

22 A. Right.

23 Q. "Bare IT, (saw their updated plans)
24 and small store count." Do you see that
25 sentence?

1 A. Malhotra

2 A. Yes.

3 Q. You referred to someone driving
4 hard for a carve out with similar thought
5 process to us. Do you know if that someone
6 was Go Global?

7 A. Avish answered that it was Go
8 Global because I started, I guess -- like I
9 mentioned, everything, everything that Go
10 Global is talking to with the buybuy BABY
11 team has to be published by them. So that's
12 what I meant.

13 I guess in the previous conversation now
14 that you brought this up, similar thought
15 processes and what would a smaller store
16 count and how much we can cut down the IT
17 side. Because historically, I think buybuy
18 BABY thought they going to get more funding
19 from the existing lenders and everything is
20 going to be hunky dory.

21 Q. I want to zero in on the similar
22 thought process to us part of the sentence.

23 What was similar about what you were
24 seeing in those plans as compared to the
25 plans you were contemplating?

1 A. Malhotra

2 A. Just what was -- so the buybuy BABY
3 team had all this extraneous, we talked about
4 it, vendors, Akamai, and there was some other
5 venders that seemed very extraneous with a
6 lot of spend and I could see that they
7 were -- the new plans they were updating,
8 they would be cutting down spending that I
9 would focus on and I would cut down
10 spending.

11 So that's like there's a smaller store
12 model and there is, you know, there's more
13 cut down on the IT side.

14 I guess that's -- that's what why I felt
15 it was similar because you were driving hard
16 for what is the bear minimum needed to
17 transition this and punch this.

18 Q. Were those similarities some of the
19 reasons that you were interested in speaking
20 to Thoryn at Go Global?

21 A. No, my interest in Thoryn wasn't my
22 personal interest. It was just that we had a
23 conversation with them and it was a followup
24 of that. It wasn't like I was personally
25 interested in talking to them or I needed to

1 A. Malhotra

2 talk to him.

3 Q. Well, I'm not really asking about
4 your personal interest. I'm asking about
5 your participation vis-a-vis on this project.

6 My question, was Dream On Me, as an
7 entity, interested in learning some of this
8 information?

9 A. Dream On Me had a conversation with
10 Go Global if I get the timing right. As part
11 of having a conversation, when you're
12 potentially, I guess, running an asset
13 jointly, you want to talk to the other
14 person.

15 In general, if you're looking at going
16 into business with them and putting money or
17 however, wouldn't you talk to them? It seems
18 like there wasn't a -- it was normal business
19 next step to talk to Thoryn.

20 Q. A couple of lines down, 8:37, Avish
21 writes, "Go Global retail is pushing them."
22 Do you know who them is in this sentence?

23 A. I think, I am guessing --

24 Q. If you don't know, I don't want you
25 to guess. If you have an idea.

1 A. Malhotra

2 A. My idea is that it's buybuy BABY.

3 Q. Okay. At the bottom 9:56 a.m.,
4 "Why is the other bidder, Go Retail, seeking
5 an additional [REDACTED]? Is there our only
6 two players? One Baby List for trademarks
7 and the other Go Retail, then why bid hire?
8 What other options does the estate have?" Do
9 you see that sentence.

10 A. Yes.

11 Q. This is dated June -- this message
12 is dated June 11, 2023, is that right?

13 A. Yes.

14 Q. At this time what was your
15 understanding of who the potential bidders in
16 this auction were?

17 A. I don't recall what I was thinking
18 at this time. Why would they seek another [REDACTED]
19 [REDACTED]? See Avish's response? Can you move
20 your mouse.

21 Q. Sure. To be clear, I'm not asking
22 about the [REDACTED]. I'm asking if you know
23 who the other potential bidders were as of
24 the date that you wrote that message?

25 A. Yeah, I don't recall if I knew it

1 A. Malhotra

2 or not. Again, it's -- because I know I
3 mentioned Baby List because we always thought
4 that Baby List might want to go for it, but I
5 don't fully recall if I knew that there were
6 other bidders in this mix.

7 Q. At this point Dream On Me was in
8 the mix, is that right?

9 A. Yes.

10 Q. And Go Global Retail was in the
11 mix, is that also right?

12 A. Yes.

13 Q. I didn't catch the response?

14 A. Yes.

15 Q. Thank you. And the other company
16 you just mentioned, what was their name, baby
17 something?

18 A. Baby List.

19 Q. They were potentially in the mix?

20 A. Yes.

21 Q. But you can't think of anyone else?

22 A. Not right now. Maybe at the time.

23 Q. Avish responds at the very bottom,
24 "They know what debtor wants to make it
25 work."

1 A. Malhotra

2 I will take a little liberty. I realize
3 you didn't write this. I want to have an
4 understanding, is the they in this sentence
5 Go Global.

6 A. No, I think it is estate.

7 Q. Okay. Why did you want to know
8 about the additional [REDACTED]?

9 A. I mean, one of the things, I guess,
10 I get hired by people because I actually look
11 at all aspects. I just don't look at
12 technology. So yeah, I can press this
13 button, this is going to happen. So I want
14 to understand where -- I mean, yeah, I guess
15 I want to understand how the broad picture
16 is.

17 Q. Okay. The top of the next page you
18 write, "By the way, the dock 1.6.2 has full
19 summary of the plan. Few gaps in tech that I
20 can see." Do you see that sentence?

21 A. Yes.

22 Q. You're referencing in this text to
23 1.6.2. Do you know if that's the Go Global
24 financial model?

25 A. No, I think it's the Lazard. It's

1 A. Malhotra

2 from the Lazard data room.

3 Q. What makes you think that?

4 A. I'm guessing, but that's where my
5 head was at.

6 Q. You are -- I don't want you to
7 guess.

8 A. I can look. You guys might have a
9 summary of what 1.6.2 is.

10 Q. Well, I can represent to you that
11 in previous emails I've shown you the Go
12 Global model is labeled 1.6.2, but you wrote
13 this sentence and I'm asking if you know what
14 that refers to in this context of this
15 sentence?

16 A. I don't recall this one specific
17 note. If you say it is that, then I believe
18 it.

19 Q. Okay. It appears, based on the
20 sentence, that you reviewed that document?

21 A. Yes.

22 Q. Based on the sentence it appears
23 that you reviewed the full summary of that
24 document, is that accurate?

25 A. Yes.

1 A. Malhotra

2 Q. Do you recall what portions of this
3 document you reviewed?

4 A. No, not right now.

5 Q. Do you recall when you reviewed it?

6 A. Probably that morning.

7 Q. Did you discuss your review of the
8 this document with anybody.

9 A. No, not -- not other than Avish.

10 Q. What did you say to Avish about it?

11 A. I would have to -- I mean
12 nothing -- I don't think anything beyond that
13 I'm talking here. Maybe I started a call
14 but -- yeah, I don't --

15 I don't recall if I highlighted or spoke
16 about anything else because I think this is
17 the one where I probably wrote my thoughts
18 that Avish used to ask the questions in his
19 email. I may be getting my timeline mixed.

20 THE WITNESS: Tom, maybe you can
21 clarify.

22 MR. MURPHY: I can't.

23 Q. Unfortunately, this is your
24 deposition.

25 A. I understand, but again --

1 A. Malhotra

2 MR. MURPHY: Maybe can show him the
3 other email. It might help clarify if
4 you look at the other email that you
5 marked earlier, the date on it anyway.

6 A. The document that Avish sent out.

7 Q. Yes.

8 A. Which was after my conversation
9 with Thoryn.

10 Q. If we go down to the middle of this
11 page, at the 11:32 time stamp you write "Yep,
12 no major comments. Let me know when I can
13 send over some tech questions." Do you see
14 that?

15 A. Yes.

16 Q. Does that refresh your recollection
17 about the timeline and the questions you were
18 developing?

19 A. It doesn't refresh my timeline. So
20 if you go back to the other email then I'm
21 guessing that this would be the email that I
22 probably sent to Avish before that.

23 Q. This is an -- is this the email you
24 were referring to with the questions and
25 responses?

1 A. Malhotra

2 A. Yes. Yes.

3 Q. This email is dated June 12?

4 A. Correct.

5 Q. Does that refresh your
6 recollection?

7 A. Yes, so then this was --

8 MR. MURPHY: That's the --

9 A. When did you send the email out?

10 Q. I see. I don't have that on me.

11 A. It was probably on that day.

12 Everything was real time. So go -- when you
13 say doc 1.6.2, when did Avish send me the
14 link to that Dropbox? Can you pull that?

15 MR. MURPHY: You just have to
16 answer his questions.

17 THE WITNESS: 1.6.2, Steven said
18 that was a Go Global document.

19 MR. MURPHY: Just answer his
20 questions. If you don't remember, you
21 don't remember.

22 THE WITNESS: What I'm saying is he
23 said that that is the same number as a
24 Go Global. And I just want to make sure
25 it is the same number as a Go Global

1 A. Malhotra

2 because this was on June 11. And the
3 email when the Go Global document was
4 sent to me, I want to make sure that
5 date is accurate.

6 Q. Let me ask you a different
7 question. At a certain point in time, were
8 you granted access to a data room hosted by
9 Ankura for Go Global?

10 A. Yes.

11 Q. Did you enter that data room?

12 A. Yes.

13 Q. Did you download documents from
14 that data room?

15 A. I think I downloaded some documents
16 because when you click it downloads the
17 document.

18 Q. Did you look at documents in that
19 data room even if you didn't download them?

20 A. Should be. Yes, probably.

21 Q. Do you recall which documents you
22 looked at?

23 A. No.

24 Q. I am sharing with you another
25 document. This document bears Bates number

1 A. Malhotra

2 DOM 75. I will represent to you that this is
3 one version of the Go Global model. I am not
4 sure if it is 1.6.2, but it is one version.
5 Do you recognize this document?

6 (Whereupon, at this time, a
7 document was marked as Plaintiff's
8 Exhibit 13, as of this date.)

9 (Whereupon, at this time, an
10 exhibit was displayed via Zoom.)

11 A. This does not have a tech plan in
12 it. I think the 1.6.4 that I mentioned had a
13 tech plan that you're alluding to which had
14 gaps.

15 Q. Did you look at this document?

16 A. Yes, I've seen this document.

17 Q. But this is not the document that
18 is labeled 1.6.2?

19 A. 6.4, the document 1.6.4.

20 Q. No, it was -- it's 1.6.2.

21 A. Okay. What is the question?

22 Q. My question is, is the document I
23 just showed you, which is that Excel
24 document, is the 1.6.2 you are referring to
25 in your WhatsApp message?

1 A. Malhotra

2 A. No, because this would be part of
3 a -- there is no tech plan in here. I don't
4 know if you can show me the other tabs.

5 Q. I certainly can. So right now the
6 first tab is ROI. Second tab is a model tab.

7 I'll scroll up and to the left so you
8 can see it. A third tab is WC&F. The third
9 tab is monthly sales, inventory receipts.
10 The fourth tab are slides. The fifth tab are
11 store recommendations. And the final tab is
12 a weekly CF Baby.

13 This is the penultimate document.
14 That's a 2021 P&L statement.

15 A. I don't think I would be referring
16 to this document because this does not have
17 any tech plan in it.

18 Q. I'm still in the WhatsApp text
19 chain, but I'm on page bearing --

20 A. Can you share that?

21 Q. I apologize.

22 (Whereupon, at this time, an
23 exhibit was displayed via Zoom.)

24 Q. Can you see I'm sharing the
25 WhatsApp text chain again?

1 A. Malhotra

2 A. Yes.

3 MR. MURPHY: Yes.

4 Q. I should be on page DOM 10095, is
5 that accurate?

6 A. Yes.

7 Q. I want to draw your attention to
8 the statement that you wrote at 10:20, "My
9 meeting with their tech guy moved to tomorrow
10 afternoon as he is back to back with Oracle
11 and the Baby team." Do you see that
12 sentence?

13 A. Yes.

14 Q. Are you referring to your meeting
15 with Thoryn Stevens in this sentence?

16 A. Yes.

17 Q. You write, "I asked if I can join.
18 Also asked him if he's looked at the TSA
19 doc."

20 A. Yes.

21 Q. "Ongoing numbers seem much higher
22 then he is projecting, [REDACTED] plus."

23 A. Yes.

24 Q. Do you see that sentence?

25 A. Yes.

1 A. Malhotra

2 Q. At this point on June 14, what
3 work had Dream On Me done with regard to the
4 TSA?

5 A. I think at that time we had put
6 together our version of the TSA, the TSA
7 document that is provided -- I think the guys
8 at Alixpartners had given us a template and
9 we were working with them on what the TSA
10 would entail and making sure we had
11 everything covered.

12 Q. Okay. You also, we went over this,
13 you asked to join Thoryn's meeting with
14 Oracle and the Baby team, is that right?

15 A. That's correct.

16 Q. Why did you want to join that call?

17 A. Because at that time the plan was
18 that Thoryn and I were working together on
19 this initiative. Now both these meetings
20 never happened and the Oracle meeting never
21 happened.

22 Q. As of June 14, had you spoken to
23 the Baby team yet?

24 A. Yes. Yes.

25 Q. As of June 14 had you spoken to

1 A. Malhotra

2 Oracle?

3 A. No. Actually I don't remember, but
4 probably not.

5 Q. Okay. On June 17 at 12:13 p.m. you
6 write, "So what happened yesterday?"

7 And Milan writes, "Go Global proposal is
8 not -- go forward plan." Do you see that?

9 A. Yes.

10 Q. And then at the bottom Milan is
11 writing, "Go Global does not have enough
12 capital for the go forward plan." Do you see
13 that?

14 A. Yes.

15 Q. How did you know that Go Global did
16 not have enough capital for the go forward
17 plan?

18 MR. MURPHY: Objection.

19 Q. You can answer.

20 THE WITNESS: Sorry, what does
21 objection mean?

22 MR. MURPHY: It's just for legal
23 purposes.

24 Q. For your purposes if he's not
25 directing you not to answer, I would like you

1 A. Malhotra

2 to please answer the question.

3 A. I think Go Global does not have
4 enough capital. That was announced from
5 Milan, not from me.

6 MR. MURPHY: That was my objection.

7 Q. I understand that. I understand
8 Milan wrote that. I understand counsel's
9 objection.

10 I'm asking, do you know whether Go
11 Global had enough capital at this point?

12 A. Well, I was informed that they did
13 not.

14 Q. Did Milan tell you how he knew
15 that?

16 A. No.

17 Q. Did you have any other independent
18 basis upon which to conclude that Go Global
19 did not have enough capital?

20 A. Specifically, no, but I did -- I
21 don't remember if I had a specific incite or
22 something.

23 Again, with my sort of learning about
24 them up close, I wasn't super impressed with
25 them.

1 A. Malhotra

2 So, you know, there was a lot of noise
3 around how they came in and they were talking
4 to CNBC and all that stuff and they were not
5 as impressive so I wasn't surprised, but I
6 don't recall if I had an independent view on
7 it or not.

8 Q. What did you mean by specifically
9 no at the beginning of your answer?

10 A. If I knew that they did or did not
11 have capital. I assumed that -- like I
12 wasn't thinking about it. I assumed that
13 they just -- at the very process they had
14 capital.

15 Q. You also testified that you weren't
16 impressed with Go Global, is that right?

17 A. Yes.

18 Q. The only person at Go Global with
19 whom you had a conversation was Thoryn
20 Stevens, is that right?

21 A. Yes.

22 Q. On June 17 at 1:28 p.m., towards
23 the top of this page, you write,
24 "Interesting. What is the estate looking
25 for?"

1 A. Malhotra

2 Milan responds, "They would not reveal."

3 And in response to that you write, "Ha,
4 of course they would not. Any other offers
5 other than Overstock? What is Go Global
6 thinking next?" Do you see that exchange?

7 A. Yes.

8 Q. Why are you interested in what Go
9 Global is thinking next?

10 A. I mean curiosity and I mean --
11 you're part of a deal. Everything is
12 flowing. There's tons of information going
13 back and forth. I mean tons of
14 conversations.

15 So it's not like I was sitting in a
16 little box just doing my own thing. We were
17 exchanging ideas and updates and anything
18 that was going on on a real time basis.

19 So I was thinking if they're going to be
20 back in the bidding, are they going to go
21 independent, you know.

22 Q. At this point in time was it your
23 understanding that Go Global was competing
24 against Dream On Me in this bid?

25 A. You mean after this note?

1 A. Malhotra

2 Q. No. At the time that you wrote
3 this, was it your understanding that Go
4 Global was competing against Dream On Me in
5 this bankruptcy auction?

6 A. I mean, I guess. That's why I was
7 asking what is Go Global thinking. Are they
8 going to -- that's the reason I asked this
9 question. What is Go Global thinking next?

10 I was wondering if they're going to
11 completely withdraw from this auction or are
12 they going to go and do it themselves.

13 Q. What do you mean go and do it
14 themselves?

15 A. Meaning independently as -- they
16 were an independent bidder just as we were,
17 right. And there was a brief period of time
18 when there was conversation about joining
19 forces and on 6/17 it was clear there was no
20 joining forces.

21 Q. Do you recall when you learned when
22 Go Global and Dream On Me were not going to
23 form a partnership as part of this deal?

24 A. You can see it here. This was when
25 I learned.

1 A. Malhotra

2 Q. This is when you learned?

3 A. Yes.

4 Q. Not before?

5 A. No, I don't believe so.

6 Q. Avish says on 6/17 at 2:19 p.m.,
7 "Without Go Global, our chances reduce as we
8 are four weeks behind." Do you see that
9 sentence?

10 A. Yes.

11 Q. Do you agree with Avish's statement
12 that without Go Global, Dream On Me's chances
13 reduce because Dream On Me is four weeks
14 behind?

15 A. I don't -- I don't -- no, I
16 don't -- I mean --

17 Q. I'm asking if you agree or not.

18 A. No. No, not necessarily.

19 Q. Why don't you agree with that?

20 A. Because I was already getting a
21 sense that the approach they were following
22 was already very much mixed up with what
23 buybuy BABY was thinking and I was already
24 starting to think this whole buybuy BABY team
25 really doesn't know what they're doing and Go

1 A. Malhotra

2 Global is following it so it wasn't -- I just
3 need to just continue talking to the tech
4 team and I was trying to figure out at this
5 time is this going to be an ongoing concern
6 or was there an IP bid.

7 So I think, at this time, everybody
8 was thinking this was an ongoing type
9 concern.

10 Q. We talked previously about how your
11 core responsibilities included technology and
12 IT, do you recall that?

13 A. Yes.

14 Q. Did you have incite into, for
15 example, where Dream On Me was with regard to
16 its financial model as of June 17 at
17 2:19 p.m. when Avish wrote this statement?

18 A. Dream On Me financial's model?

19 Q. Correct.

20 A. No.

21 Q. What about for their due diligence?

22 A. Model for their due diligence?

23 Q. I want to know if you had an
24 understanding of the work that Dream On Me
25 had done as of June 17 with regard to due

1 A. Malhotra

2 diligence?

3 A. So what would that entail? For
4 example, are you looking for an investment
5 document or something or --

6 Q. I want to know the work that Dream
7 On Me had performed.

8 You told me you were involved in due
9 diligence. Did you not say that?

10 A. Yes.

11 Q. So are you able to tell me as of
12 June 17 some of the work that Dream On Me had
13 performed with regard to due diligence?

14 A. With due diligence, a lot of work
15 was understanding and assessing what the
16 buybuy BABY team was presenting as its go
17 forward plan.

18 So I know that Avish and everybody else
19 was looking at those kind of things and Milan
20 and everyone else.

21 Q. Okay. I know that you know they
22 were looking at those things. I want to know
23 if you had enough information to determine
24 whether Dream On Me was behind in its due
25 diligence work as of June 17?

1 A. Malhotra

2 A. I did not have enough information
3 to know that they were behind.

4 Q. What about for capital raised or
5 financing, same question?

6 A. No, not aware.

7 Q. Not aware. What about for
8 logistics and supply chain, same question?

9 A. Logistics and supply chain, because
10 I was talking to the guy running it and they
11 were looking at a new vendor, you know, we
12 were assured by them they would have a new
13 vendor picked so I think at that time I had
14 started to reach out to a few 3PL's, other
15 logistics companies on my own.

16 But no, I don't think -- I think it was
17 continuing.

18 Q. The next sentence you write, a
19 couple of minutes later at 2:21, "If we can
20 get time with their tech team and Patty we
21 might have a shot, especially if we can push
22 for a less aggressive store plan, but I think
23 the estate might want more money." Do you
24 see that?

25 A. Yes.

1 A. Malhotra

2 Q. When you say with their tech team,
3 whose tech team are you referring to here?

4 A. Buybuy BABY.

5 Q. Why are you saying we might have a
6 shot?

7 A. It's a matter of -- a shot at
8 winning the auction. And actually no, we
9 might have a chance to -- let me think.

10 Tech team with Patty, putting a plan. I
11 don't recall. I don't know.

12 I don't recall what we might have a shot
13 in terms of -- what was the plan in terms of
14 6/17, whether that was talking about an
15 auction?

16 Remember the auction date kept moving.
17 I'm trying to think if the auction was in two
18 days from that time and then it moved to
19 July. We knew we had three weeks or we knew
20 we had --

21 Q. June 19 at 8:57 you write, "Yep,
22 need to set that up. Are we competing with
23 Go Global or are they out of the picture."
24 Do you see that sentence?

25 A. Yes.

1 A. Malhotra

2 Q. Why are you asking about whether
3 you're competing with Go Global or not?

4 A. That's the previous question I
5 asked, whether -- if they're a bidder,
6 then automatically we are competing with
7 them.

8 If they are withdrawn completely from
9 the bid, then they're out of the picture.

10 Q. You just want to know if they're
11 participating or not?

12 A. Yes.

13 Q. Avish writes after that, "Assess
14 where Go Global was." Do you see that?

15 A. Yes.

16 Q. Did you assess where Go Global was?

17 A. Yes, from the Baby team, basically
18 it was an idea what was -- who they all have
19 talked to.

20 Q. Why did you do that?

21 A. Because the Baby team was spending
22 all their time with Go Global. And we, you
23 know, even from terms of the bidding, they
24 needed to share that with us and, you know,
25 we just wanted to make sure that they're

1 A. Malhotra

2 sharing everything that they have done with
3 Go Global with us. I think that was the
4 intent.

5 Q. Were you looking at Go Global to
6 try to recreate some of the information you
7 would have gotten out of the Baby team?

8 A. No. No. This is not looking at Go
9 Global. This is more like who have they
10 talked to internally, the Baby team.

11 They were spending so much time and Go
12 Global had spent so much time with them and
13 they -- they thought they were going to be
14 sold to Go Global, so they were focused
15 there.

16 We are serious bidders. You need to
17 spend time with us and give us a sense of
18 where your current plans are.

19 Q. After Avish writes assess where Go
20 Global was, he writes, "Yes."

21 Then he writes, "They just did digital."
22 Then he writes, "Bid." Then you write, "So
23 only website, we are doing all, but Baby
24 only, right?"

25 And the Milan, writes, "We suspect their

1 A. Malhotra

2 focus on digital, but we don't know exactly."

3 You write, "No, they had stores and POS,
4 et cetera in mind when I spoke to them."

5 A. Yes.

6 Q. Is it fair to say that you're
7 looking into Go Global at this point and not
8 just because of the people they spoke to?

9 A. No. No. This is when I spoke to
10 Thoryn. He said I'm talking to Oracle.

11 I said why are you talking to Oracle for
12 the ERP. And then for the stores we're going
13 to use Oracle's point of sales systems.

14 So Oracle -- Oracle was kind of shocked
15 after we acquired the asset because they
16 thought they had this in the bag, that was an
17 extension of that same -- this is the store
18 POS, point of sales systems.

19 Q. I'm a little confused. So I'm
20 going to back up. I apologize. I don't mean
21 to ask the same questions over and over again
22 but I do want to understand.

23 When Avish writes assess where Go Global
24 was, what did you take that to mean?

25 A. Where they were in the process.

1 A. Malhotra

2 That's what I think I understood.

3 Q. Where was Go Global in the process
4 at this point?

5 A. I don't know. I guess that was --
6 I'm trying to remember if he's making a
7 statement because he said they are just
8 digital. He's tracking to figure out where
9 they were in the process.

10 Q. Is the answer that you don't know?

11 A. I don't know. I'm trying to
12 remember.

13 MR. MURPHY: Amit, you can use this
14 to refresh your recollection, but if you
15 don't know, you don't know.

16 A. Scroll it down. Then I can
17 probably see if there is something else that
18 I said that can shed some light and share it
19 with you guys.

20 (Whereupon, at this time, there was
21 a pause in the proceeding.)

22 Q. Down here at June 19 at 9:03 p.m.,
23 you write, "And or speak to Patty to give me
24 a rundown of her tech team. I have some
25 names from Global." Do you see that?

1 A. Malhotra

2 A. Yes.

3 Q. What names do you recall getting
4 from Go Global?

5 A. This was their CTO who Thoryn
6 really liked.

7 Q. Whose CTO?

8 A. Buybuy BABY's CTO.

9 Q. Any other names?

10 A. I don't recall. I think he liked
11 her and he liked the team.

12 Buybuy BABY had put a team sort of
13 together, like. They said this is our
14 proposed team for this transition and Thoryn
15 was like they're good. So I said okay.

16 Q. The last message on this page is
17 from Avish.

18 And he writes, "Yeah, we must so you can
19 validate quickly and get info from team on
20 Gone Global."

21 Can we agree Gone Global is some sort of
22 typo or spelling error, you're referring to
23 Go Global there?

24 A. Yes.

25 Q. When he said get info from team on

1 A. Malhotra

2 Go Global, is he -- do you know what he's
3 referring to?

4 A. The buybuy BABY team.

5 Q. Okay. He's not referring
6 internally to Dream On Me?

7 A. No. No. Because this is when I
8 said I need to get to the next level and he
9 says because if they share with Go Global,
10 whatever work they shared with Go Global,
11 they will share it with us.

12 Q. This might be repetitive and I
13 apologize if it is, I want to clarify all of
14 this.

15 On June 19, 9:43 Milan writes, "Go
16 Global is closer to Lazard and knows details
17 that we don't. They work closely with 6th
18 Street. Seems they have deal discussions
19 prior to submission." Do you see that?

20 A. Yes.

21 Q. Do you know what details Go Global
22 knew at that time that you did not?

23 A. No.

24 Q. Did you speak with anyone at Baby
25 or Lazard to follow up on what Go Global

1 A. Malhotra

2 knew?

3 A. No.

4 Q. Do you know if anyone at Dream On
5 Me did that?

6 A. I don't think so. Milan may have
7 tried.

8 Q. On June 20 at 8:41 Avish writes,
9 "Yes, they are not providing us with what Go
10 Global got." Do you see that?

11 A. Yes.

12 Q. Do you know what information Avish
13 is referring to in this sentence?

14 A. All their work product that they
15 are -- I think he's --

16 Q. Let me back up. Let me back up.
17 It says they're not providing. Who is they
18 in this sentence?

19 A. Buybuy BABY.

20 Q. You previously testified that all
21 the information that Go Global received from
22 Baby would have been put into the Lazard data
23 room, is that right?

24 A. Should have been put.

25 Q. Do you have any reason to believe

1 A. Malhotra

2 that there was information that was not put
3 in the Lazard data room that should have been
4 there?

5 A. I don't recall, but it was, you
6 know, it's -- maybe they were following it to
7 the minimum letter of whatever, you know,
8 like we saw with Baby when we were trying to
9 get data from them.

10 Q. I want to know if you have a basis
11 to know that?

12 A. No. Well -- no, my basis to know
13 that is from what -- in my call with Thoryn,
14 if he was so busy on back-to-back calls with
15 buybuy BABY team and buybuy BABY's team and
16 Oracle and everybody else, the amount of
17 information that was being shared with us was
18 very, very little.

19 If you have two days of calls with
20 Oracle, you would expect to see something out
21 of it. So that would be my basis.

22 Q. Did you try going to the Lazard
23 data room to find the information that you
24 wanted?

25 A. Yes. Yes.

1 A. Malhotra

2 Q. After this was sent even on
3 June 20?

4 A. Yes.

5 Q. Did you find that there was
6 information you wanted that wasn't available?

7 A. I believe so. Again, the volume of
8 conversations and engagement that Go Global
9 was having with the buybuy BABY team was not
10 reflected fully in the documents.

11 Q. Is it your understanding that the
12 conversations that Go Global was having with
13 Baby team members should have always been
14 reduced to writing and uploaded to the Lazard
15 data base?

16 A. Even in my conversations with the
17 Baby team, right, I did not get them and we
18 had to remind them.

19 I had to remind them because I remember
20 talking about this with Joy, they do need to
21 tell us what they're talking about or, at
22 least, share it with us even if it's not in
23 writing and they were very, very curt.

24 Q. It's fair to say you were having
25 difficulty getting information out of Lazard?

1 A. Malhotra

2 A. Lazard probably did not know. This
3 was more on the conversations with the buybuy
4 BABY team.

5 Q. That was on the Baby side, not the
6 a Lazard side. Thank you for clarifying
7 that, okay.

8 Was this problem compounded by the fact
9 that there was a lot of information in the
10 Lazard room?

11 A. Possibly.

12 Q. What do you mean by possibly?

13 A. I don't know what I don't know.

14 And, again, you're talking about a very
15 specific point in time. And then we decide
16 to ditch all of this anyways. Especially
17 with the APA being talked down from them. A
18 lot of this wasn't even relevant because the
19 APA side here is what we're going to give
20 you, take it or leave it.

21 By the way, below that you can see the
22 3PL person, John Yacka was the person on the
23 supply side. You can see the conversation.

24 Q. Did you work closely with Avish on
25 this case?

1 A. Malhotra

2 A. Yes.

3 Q. On the project?

4 A. Yes.

5 Q. Did he ever express to you concerns
6 about the project?

7 A. What kind of concerns?

8 Q. Concerns about how the project was
9 going?

10 A. Of course. Every project -- you
11 are always -- name a project, especially when
12 you're trying to do something of this
13 magnitude and launching something in a month,
14 a company that was making a billion dollars a
15 year.

16 Q. What concerns did he have?

17 A. I mean we were all very temporal at
18 the time. What are -- how are we basically
19 making sure -- getting what we wanted.

20 You know, so it's a very temporal way of
21 operating. I don't know if he had any
22 philosophical concerns about it. He was
23 pretty excited about it.

24 Q. I'm not asking about his
25 philosophical concerns. What do you mean

1 A. Malhotra

2 temporal concerns?

3 A. Issues coming at the time and hey
4 let's get with Patty, their CEO, spending
5 time with them, making sure the plans are
6 updated, signing off the plans.

7 So it just was back and forth as you
8 would do with any kind of something of this
9 complexity and moving parts and all that.

10 Q. Did he have concerns about the work
11 that Dream On Me had done to date throughout
12 this project?

13 A. He did feel that we were a little
14 late in the game than the other bidders
15 because back in January, I think there were
16 like 200 bidders.

17 There was some exhaustion within the
18 team and then we talked about the team as
19 well. So all these things were all very
20 fluid, very in the mix.

21 Q. You said back in January --

22 A. Like there was already some
23 interest in the market. That's what I, you
24 know, there was a lot of media. The media
25 noise around this was pretty significant.

1 A. Malhotra

2 So that's why I heard from somewhere,
3 not from Avish, they were a lot of people --
4 this whole thing was going left and right
5 with 6th Street coming back and putting more
6 money. Carve out Baby. They're going to
7 bankruptcy. What is happening to their
8 people?

9 There were a lot of things happening.
10 This is a very public, very big bankruptcy.

11 Q. Did he ever express to you concerns
12 about the amount of work Dream On Me had
13 performed to-date in relation to the amount
14 of work other bidders are performed to-date
15 on this project?

16 A. The only thing I have is where he
17 said we are four weeks behind so he didn't
18 say -- he just said the other guys. That's
19 the thing I have.

20 Q. And you disagreed with that with
21 regard to the IT and technology portion,
22 correct?

23 A. With regard -- because from what I
24 was learning, yeah, I disagreed with it.
25 It's the quality of the work. And especially

1 A. Malhotra

2 after I looked at the facts, it was all bogus
3 what all these teams were doing and their
4 systems were fundamentally broken.

5 Q. Did you talk to Avish about his
6 concern that Dream On Me was behind in its
7 work?

8 A. No, not in so many words. We were
9 just so fixated on making sure this gets
10 done.

11 We are all complaining about being up
12 late nights and working on the APA and all
13 that stuff, but I would suspect other bidders
14 were also in a very tight timeline. The
15 timeline kept changing so is that was very
16 stressful.

17 Q. You never spoke to Avish about
18 whether Dream On Me was behind on its due
19 diligence?

20 A. I don't recall having a very
21 holistic conversation with him and saying we
22 should withdraw from this because we are
23 behind or we are disadvantaged or something
24 like that.

25 Q. I'm not asking whether you should

1 A. Malhotra

2 withdraw. I'm not asking about that. I'm
3 asking a very specific question.

4 I'm asking whether you had a
5 conversation with Avish about whether -- you
6 had a conversation with Avish about his
7 concern that they were behind on their due
8 diligence work?

9 A. I do not recall a specific
10 conversation on that.

11 Q. Okay. Did you have a conversation
12 with Avish about them being behind on
13 developing a financial model?

14 A. No, because -- they were dependent
15 on -- we were dependent on the financial
16 model that the seller, the selling team was
17 putting together.

18 Q. Did Avish ever express to you that
19 Dream On Me did not have the internal teams
20 or professionals needed to work on this
21 project?

22 A. Yes, that's why he hired me.

23 Q. Oh, okay. Tell me about that
24 conversation, please?

25 A. He said look, you've done these

1 A. Malhotra

2 kind of deals before, you have an
3 understanding. This is a complex tech stock,
4 I will need your help.

5 Q. Did you ever have a conversation
6 with him about this after he hired you?

7 A. That -- yes, that's why I bought my
8 own team. That's why we hired the people.
9 That's we got Anuj and all those people.

10 Q. I'm asking if you had a
11 conversation with Avish after he hired you
12 about his concern that Dream On Me did not
13 have the internal teams or professionals to
14 work on this project? Did you have a
15 conversation with Avish?

16 A. I mean it was obvious to me that I
17 was hired for a reason. So I took that as a
18 job.

19 Clearly Steve or someone else who has
20 been working there, they didn't know this
21 stuff. So, I mean, there's no point having
22 that conversation so I don't recall if I had
23 that conversation.

24 Q. Is your answer that you do not
25 recall having that conversation?

1 A. Malhotra

2 A. I do not recall.

3 Q. Thank you. Would you agree that
4 this project was a fairly large investment?

5 A. For whom?

6 Q. For Dream On Me.

7 A. I cannot speak to it. I mean, Mark
8 has money so -- but not many people out there
9 who can just write a check for [REDACTED]
10 right off the bat, right.

11 Q. Do you know what data the Dream On
12 Me team was relying on in order to do the
13 work such as developing a financial model,
14 due diligence, looking at supply chain and
15 logistics, things like that?

16 A. What does the supply chain and
17 logistics even mean? You keep bringing it
18 up.

19 Q. Well, respectfully, I can clarify,
20 but if you want to answer the question I
21 posed to you, you can.

22 A. I don't know what logistics and
23 supply chain means.

24 Q. That's why I'm telling you, you can
25 leave that out of your answer.

1 A. Malhotra

2 A. Repeat the question again. I
3 forgot.

4 (Whereupon, at this time, the
5 record was read as requested.)

6 A. The only piece of information I
7 have is that there were suppliers to buybuy
8 BABY, they had an understanding of how buybuy
9 BABY's bosses worked, worked with the gaps,
10 how long it took them to ship products and
11 for buybuy BABY to put those products on the
12 shelves.

13 And they thought there was a tremendous
14 margin opportunity by direct importing many
15 of the products and fixing basically --
16 buybuy BABY went underground because they
17 kept running out of product.

18 One of the things we were told, one
19 was the IT side and then the second thing
20 was in 2022 with Covid, they had financial
21 issues and they had issues keeping product on
22 the shelf and when they did, they had it on
23 poor margin.

24 What I -- what I gathered from my
25 conversation and with Avish and even Mark,

1 A. Malhotra

2 look, we know how to direct import. We think
3 that is the secret sauce in terms of
4 unlocking, having a retailer and a direct
5 import and cut out the middleman. That
6 expands the margins significantly.

7 That's the extent of the information
8 that I had.

9 Q. I want you to listen to the
10 question I'm asking you. And I'm asking,
11 what data, if you know, did Dream On Me
12 have?

13 A. I pointed it to you, the data of
14 knowing how buybuy BABY's product purchasing
15 process worked and their margins.

16 Q. Are you pointing to Dream On Me's
17 experience?

18 A. As they were a vendor with buybuy
19 BABY and they looked at their costs. Because
20 I know they looked at costs of these goods,
21 where they saw the opportunity of basically
22 going in direct. I know they looked at that
23 piece of data, that I know.

24 Q. Where did they get that data from?

25 A. I don't know.

1 A. Malhotra

2 Q. Do you know if they did -- if they
3 looked at the Lazard data room?

4 A. I am guessing. I don't know which
5 part of the Lazard data room, but that was
6 verification that was part of the Lazard's
7 data, cost of goods.

8 Q. Is the answer that you don't know?

9 MR. MURPHY: Don't guess.

10 A. I don't know.

11 Q. And to clarify, you don't know what
12 data Dream On Me looked at in order to
13 support its due diligence, for example?

14 A. No. I know that they looked --

15 Q. I'm not -- I'm asking what you
16 know. Amit, please. Please.

17 A. Okay.

18 Q. I'm trying to be patient with you.
19 I'm giving you a lot of leeway here. You are
20 providing very non-responsive answers to my
21 questions.

22 A. Okay.

23 Q. Listen to the question I'm asking.
24 Do you know what data Dream On Me relied upon
25 in order to develop its financial model?

1 A. Malhotra

2 A. My understanding is that they
3 looked at the cost of goods data which was
4 likely available in the Lazard data room.

5 Q. Thank you. Do you know whether
6 anyone at Dream On Me performed due diligence
7 on the data in the data room?

8 A. You mean looked at the data and see
9 if that was worth investing it in? Yes, that
10 was their whole thesis, to go after this
11 asset.

12 Q. And who did that?

13 A. It would be Avish and Mark.

14 Q. Okay. You didn't have any
15 involvement with that?

16 A. No, they told me this is what we
17 feel is a good reason to go after this where
18 we think the big opportunity is.

19 Q. Do you know if you or anyone else
20 at Dream On Me looked at the data in the
21 Lazard data room with regard to Human
22 Resources?

23 A. Yes.

24 Q. You did?

25 A. Yes, I did.

1 A. Malhotra

2 Q. What about for financing and
3 budgeting, was that also you?

4 A. I mean I'm sure Avish also looked
5 at it. We talked about it. I looked at it
6 as well.

7 MR. BERLOWITZ: I think I'm
8 basically done. Can we take a five
9 minute break so I can go over my notes?

10 MR. MURPHY: That's fine.

11 (Whereupon, at this time, there was
12 a pause in the proceeding.)

13 MR. BERLOWITZ: I have no further
14 questions. Thank you, Amit. I really
15 appreciate you taking the time to answer
16 all my questions.

17 THE WITNESS: Thank you. Thank for
18 patience. I know this is really
19 complicated, very fluid. So I hope you
20 don't take any of this personally.

21 MR. BERLOWITZ: Not at all. Same
22 to you. I hope I don't take my being a
23 bit short with on occasion.

24 THE WITNESS: All good. We're
25 trying to figure this out.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A. Malhotra

(Whereupon, at this time, the
examination of this witness concluded at
3:20 p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A C K N O W L E D G M E N T

STATE OF)
 :ss
COUNTY OF)

I, AMIT MALHOTRA, hereby certify
that I have read the transcript of my
testimony taken under oath in my deposition
of October 24, 2024; that the transcript is a
true, complete and correct record of my
testimony, and that the answers on the record
as given by me are true and correct.

AMIT MALHOTRA

Signed and subscribed to before
me, this _____ day
of _____, 2024

Notary Public, State of New York

1

2

I N D E X

3

4

WITNESS

EXAMINATION BY

PAGE

5

A. Malhotra

Mr. Berlowitz

5

6

7

E X H I B I T S

8

PLAINTIFF'S

DESCRIPTION

FOR ID

9

Exhibit 1

Email - GG 8935

49

10

Exhibit 2

Email - DOM 3073

60

11

Exhibit 3

Email - DOM 3098

63

12

Exhibit 4

Email - DOM 3128

80

13

Exhibit 5

Email - DOM 3154

85

14

Exhibit 6

Email - DOM 17348

98

15

Exhibit 7

Email - DOM 17426

104

16

Exhibit 8

Email - DOM 17801

109

17

Exhibit 9

Email - DOM 18198

116

18

Exhibit 10

Email - DOM 18444

118

19

Exhibit 11

Email - DOM 18445

131

20

Exhibit 12

WhatsApp document

152

21

Exhibit 13

Email - DOM 75

172

22

REQUESTS/PRODUCTION

23

(None this date.)

24

25

1

2

C E R T I F I C A T E

3

4

I, JENNIE FANTASIA, a Notary

5

Public in and for the State of New York, do

6

hereby certify:

7

THAT the witness whose deposition

8

is hereinbefore set forth, was duly sworn by

9

me and;

10

THAT the within transcript is a

11

true record of the testimony given by such

12

witness.

13

I further certify that I am not

14

related either by blood or marriage; to any

15

of the parties to this action; and

16

THAT I am in no way interested in

17

the outcome of this matter.

18

IN WITNESS WHEREOF, I have

19

hereunto set my hand this 8th day of

20

November, 2024.

21

22


Jennie Fantasia Kilgallen

23

24

25



A		
A-F-T-E-R-N-O-O-N 151:22 A-N-U-J 101:9 a.m 1:12 165:3 ability 8:18 29:13 72:25 able 65:22 100:15 108:14 117:15 135:11 184:11 accept 114:14 access 34:13 87:17 102:7,8 109:18 113:2 172:8 account 101:23 accounts 101:24 accurate 15:5 30:10 50:3 56:25 112:6 127:13 152:16 153:12 157:23 158:13,24 168:24 172:5 175:5 achieve 134:24 acknowledging 107:14 acquire 18:3,4 19:8 27:13 34:9 36:5 95:25 acquired 93:18 94:13 102:19 104:13 189:15 acquiring 12:4 26:18 99:5 116:2 135:5 acquisition 11:20 13:25 18:16 22:13 43:7 79:6 88:23 89:2 93:16 93:22 94:25 96:7 153:16 154:22 acquisitions 12:16 action 17:2 107:25 108:10,13 212:15 activated 84:25 active 24:11 38:9 actual 112:16 146:18 addition 110:8 158:14 additional 139:2 165:5 167:8 address 5:24 93:15 admit 67:20 advantage 124:15 Advent 12:15 advertising 122:2 advising 158:20 advisory 11:17 affect 8:18 afternoon 175:10 against- 1:6 agency 4:11 aggressive 75:19 185:22 ago 20:22 63:13 101:2 agree 97:21 118:15 182:11,17,19 191:21 203:3 agreed 3:4,9,13 4:3 agreement 15:8,12,19 19:7 90:14 95:24 ahead 75:2 128:25 AI 10:21 11:25 Akamai 69:20 141:19 163:4 alert 25:8 alive 135:24	Alixpartners 90:12 134:19,20,20 136:8 176:8 allocating 108:18 allowing 114:15 alluding 147:7,10 173:13 Amazon 23:8 35:17 Amit 1:14 5:13,23 60:8,13 63:21,23 69:24 76:23 80:6 86:3,4 98:11,15 104:20 106:16 110:4 116:18,18 116:23 118:5 127:17 132:8 150:17 152:14 190:13 206:16 208:14 210:8,18 amount 28:6 35:20 95:14 97:18 134:16 194:16 199:12,13 analysis 28:19 109:4 and/or 150:7 Ankura 91:10,11,14 172:9 announced 178:4 answer 6:24 7:7,17,25 57:3 76:22 128:2 150:19 151:7 157:23 171:16,19 177:19,25 178:2 179:9 190:10 202:24 203:20,25 206:8 208:15 answered 35:12 151:8 154:16 162:7 answering 7:6 74:23 answers 206:20 210:13 antiquated 34:5 64:23 124:10 Antora 91:7,12 Anuj 101:8 105:6,16 114:25 115:5 115:10,20,21 202:9 anybody 91:18 108:2 169:8 anyway 113:24 114:7 170:5 anyways 196:16 APA 90:13,13 109:20 114:8,9,11 114:13 196:17,19 200:12 apart 35:17 145:23 apologize 154:17 161:12 174:21 189:20 192:13 App 11:15 appearing 5:12 appears 168:19,22 Apple 12:9 applications 51:22 54:10 58:9,11 58:13 72:2,8 appreciate 60:11 157:22 208:15 approach 90:10 95:17 139:10 143:5 147:20 148:21 182:21 approaches 120:2 123:13 144:17 approaching 42:24 43:17 137:2 147:15,19 approximate 26:5 31:23 April 43:14 architecture 31:11,11 44:3 area 11:23 155:3 areas 33:4 134:12 159:20 argue 141:25 arguments 100:9 arrested 8:11	arriving 136:4 artificial 10:22 AS-400 34:3 64:22 aside 103:11 asked 14:16 22:16 68:13,23 69:25 76:8 78:15 79:16 82:2 94:13 119:7 154:17 175:17,18 176:13 181:8 187:5 asking 7:6 28:25 56:16 57:10,13,15 57:20,21 59:8,11 61:17 70:5 71:12 72:18,20 73:4,16,17 74:20 74:21 76:17 79:9 80:22 85:12,13 87:13 88:25 97:16 104:6 111:11 111:12 123:3 127:20,22 130:11 130:13 131:2 150:20,25 155:21 155:21 157:24 158:4 160:9 164:3 164:4 165:21,22 168:13 178:10 181:7 182:17 187:2 197:24 200:25 201:2,3,4 202:10 205:10 205:10 206:15,23 asks 111:7 130:19 aspect 45:23 103:11 154:11,14,24 157:13 aspects 167:11 assess 187:13,16 188:19 189:23 assessing 19:23 184:15 assessment 20:9 asset 17:22 19:8,10 26:18,20 27:13 28:24 29:7 39:24 90:14 94:13 95:21,24,25 99:5 102:11,15 112:20 116:2 134:7,21 135:2 144:10 164:12 189:15 207:11 assets 15:3 18:8,22 22:14,17 26:16 30:3 34:10 35:11 36:18 38:15 43:8 79:7 81:5,19 93:16,18 95:2 102:24 104:13 112:5,8 153:17 154:22 assigned 100:4 assist 115:18 assume 7:18 30:23 51:12 86:16 assumed 28:5 179:11,12 assured 82:13 159:21 185:12 AT&T 11:12 attached 26:4 132:11 attachment 119:15 124:21 126:12 attachments 86:8,10,12,15,18 attend 48:15 attended 47:21 48:10 attending 48:2 attention 39:24 51:4 58:15 161:11 175:7 attorney 1:16 49:16 147:25 150:23 attorneys 2:4,9 5:4 auction 17:24 18:8 23:17,21,25 24:12 25:9,10 35:23 46:9,11 96:19,20,21,22 120:4 135:8,9 155:17 165:16 181:5,11 186:8,15 186:16,17 August 16:7 96:2 118:5,22 121:17

<p>125:15 132:11 Austin 6:3 automatically 187:6 automation 11:24 available 38:23 46:8 128:22 195:6 207:4 Avenue 2:10 Avish 17:17 21:24 34:11,18,20 35:5 40:3 50:8,8,18 55:13 56:19 57:7 80:8 81:14 86:2 87:24 98:12 101:17,21 104:20 106:14 108:3 110:4 116:18 118:6,24 132:17,18 135:6 136:25 154:5 156:18,22,23 156:25 161:2 162:7 164:20 166:23 169:9,10,18 170:6,22 171:13 182:6 183:17 184:18 187:13 188:19 189:23 191:17 193:8,12 196:24 199:3 200:5,17 201:5,6,12,18 202:11,15 204:25 207:13 208:4 Avish's 165:19 182:11 aware 46:12 138:11,14 145:12 155:4,7 185:6,7 awareness 158:10 awesome 75:17</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>B 95:16 211:7 babies 135:22,23 baby 12:23 13:4,9,24,25 14:3,6,9 15:3,4,7,16,20 16:3,4 18:8,15,23 23:3,4,4 25:4,22 26:2,16 27:4,8,9 27:14,15,20,25 28:3,3 30:4,5,9 31:15,18 33:14 35:15,21,22,25 36:8 38:22 39:25 42:12,15,19 43:16,18,20,24 44:13,14,16 45:5 45:6,9 47:13,18 51:9 52:7 53:3 54:5,7,14,21 55:2,6,11 56:9 57:12 58:21 61:16,20 62:11 64:8 65:24 67:2,4,17 68:8,16,18 69:11,17 70:20 73:3,22 74:3 79:10 81:19 82:21,22 83:6 84:8,10 86:19,25 87:11 88:4,18 89:8 92:6,22 93:4 93:13 94:9 96:3 99:3,13,18,24 100:4 102:17,19 111:2 112:5 113:21 115:13,15,23,25 117:12 122:19 124:18,21 125:23 126:11 126:17 131:13 132:4,10 135:21 138:16 139:10,13,20 141:4,15,21 142:6 143:14,16,22,23 144:4,9,12 144:22 147:22 148:5,22 149:9 153:10 154:5 159:20 160:6 162:10,18 163:2 165:2,6 166:3,4 166:16,18 174:12 175:11 176:14 176:23 182:23,24 184:16 186:4 187:17,21 188:7,10,23 191:12 192:4,24 193:19,22 194:8,15 195:9,13,17 196:4,5 199:6 204:8 204:11,16 205:19</p>	<p>BABY's 22:14 34:10 35:11 36:17 43:8 72:25 84:10 93:16 95:2 99:15 131:15 135:12 140:25 153:16 154:22 191:8 194:15 204:9 205:14 baby-related 23:5 Bachelor's 9:9,14 back 7:12 16:8 33:8 39:8 55:14 75:5 80:3 99:21 120:15 121:3 137:6,21 138:21 147:23 148:7 151:18 153:20 154:7 170:20 175:10,10 180:13,20 189:20 193:16,16 198:7,15,21 199:5 back-to-back 194:14 Backbone 11:12 background 42:6,21 61:18 78:21 88:3 92:11 108:8 backgrounds 61:14 71:19 backing 121:19 bad 161:6 bag 189:16 baked 57:11 ball 140:4 bankruptcy 18:7,16 23:17,21,25 24:12 25:23 36:18 102:25 103:9 103:13 111:18 181:5 199:7,10 Barbie 85:7 Bare 161:23 base 195:15 based 123:19 139:9 158:8 168:19 168:22 basic 31:12 basically 11:6,19,24 12:5 14:11 41:14 42:14 53:6,21 54:14 59:14 61:22 62:9 86:24 90:14 91:7 92:5 95:25 105:18 110:20 130:6 139:4 187:17 197:18 204:15 205:21 208:8 basing 123:10,11 basis 29:24 127:22 178:18 180:18 194:10,12,21 bat 203:10 Bates 48:25 60:15 63:22 80:9 85:16 85:18,19 86:4 98:13 104:22 110:5 116:15,17 118:8 121:4 132:5 142:19 152:12 172:25 Bath 13:5,8 19:24 24:20 25:23 28:3 31:15,16 33:19 62:12 65:24 99:24 99:25 100:2 101:2 104:5,13 107:17 110:8,15,25 111:10,21 112:10,11 113:16 115:2 124:18 BBB 51:19 BBB's 142:11 BBBY 51:8 58:25 BBBY's 79:6 Bbuy 152:15 BBY 58:20,23 bear 163:16 bearing 174:19</p>	<p>bears 80:9 85:18 98:13 104:21 132:4 142:19 152:12 172:25 bed 13:5,8 19:24 24:20 25:23 28:3 31:15,16 33:18 62:12 65:24 99:24 99:25 100:2 101:2 104:5,13 107:17 110:8,15,25 111:10,21 112:10,11 113:16 115:2 124:18 140:12 bedding 84:22 began 17:5 95:12,14 125:22 beginning 179:9 begun 53:18 behaving 137:25 belief 5:11 believe 13:12 19:22 25:6 28:14 29:16 32:23 35:22 36:19 38:12 40:20 47:9 54:16 64:3 65:9 70:25 82:9 84:5 88:7,8 90:22 92:2 103:10 104:9 110:13 112:18 119:14 121:4 122:8 154:18,23 168:17 182:5 193:25 195:7 believed 35:24 benefit 80:19 Berkman 2:4 6:8 Berlowitz 2:6 5:6 6:5,7 48:19 49:13 73:8 79:20,25 150:2 151:9,12,15 151:18,24 208:7,13,21 211:5 best 5:10 141:21 better 64:6 beyond 13:5,8 19:24 28:3 31:15,17 33:19 62:12 65:24 99:25,25 100:3 101:2 169:12 Beyond's 25:23 bid 26:16 28:19,20,24 29:24 37:3 52:6,6,12,13 82:8 83:21 89:16 109:5,6 112:24 113:14,15 114:17 114:18,18,19 116:6 117:8 122:25 165:7 180:24 183:6 187:9 188:22 bidder 38:22 114:6,15 165:4 181:16 187:5 bidders 24:23 25:13 37:2 38:23 41:12 45:7,11 46:8 47:15,16 109:12 114:14 143:18 165:15,23 166:6 188:16 198:14,16 199:14 200:13 bidding 41:2,3 82:10 83:24 154:2 180:20 187:23 bids 89:17 big 13:2 14:24 67:12,25 94:17,17 109:16 110:23 131:5 199:10 207:18 bigger 13:3 billion 197:14 bit 14:17,17 16:10 20:5 61:22 69:9 73:9 77:5,11 79:22 87:10 96:4 110:13 139:15 159:18 208:23 blood 212:14 BMS 9:14 board 11:17 26:24 81:8,12 124:25</p>
---	---	---

bodies 16:19 body 17:3 bogus 200:2 bosses 204:9 bottom 34:5 49:12 165:3 166:23 177:10 bought 145:3 149:8 202:7 box 155:6,6 180:16 BP3 11:22 brand 117:19 135:18 brands 84:15,16 break 7:22,23 8:2 79:24 80:2 151:10,16 208:9 brief 181:17 briefing 50:10 bring 101:3 108:6 134:13 bringing 101:4 203:17 broad 41:18 167:15 broader 100:6 broken 200:4 brought 18:6 162:14 budget 51:8 106:17 118:20 119:4 125:19 126:8,10 129:5 budgeting 208:3 budgets 120:20 build 116:3,3 build-up 143:11 built 62:10 bunch 10:21 23:7 90:18 106:3 136:21 153:18 burnt 113:3 business 9:17 22:23 27:6,14 31:9,9 31:13 35:16,21,25 36:3,13 65:18 82:7 83:17,20,20 94:21 116:25 117:6 123:12,20 126:4 137:11,16 157:13 164:16,18 businesses 35:19 busy 42:17 88:17 89:20 130:2 194:14 button 167:13 buy 67:23 buybuy 12:23 13:4,9,24,25 14:3,5,9 15:3,4,6,16,20 16:3,4 18:8,23 22:14 25:4,22 26:2,16 27:8,9,15 27:25 28:2,3 30:4,5,9 31:15,18 33:14 34:9 35:10,21,22 36:8,17 38:22 39:25 42:12,15,19 43:8,16 43:18,20,24 44:16 45:5,9 47:18 52:7 53:3 54:5,7,14,21 55:2,6,11 56:9 57:12 61:15,20 62:10 64:8 65:24 67:2,4,17 68:8,15,18 69:11 69:17 70:20 72:25 73:3,22 74:3 79:10 81:19 82:21,21 83:6 84:8 84:10,10 86:25 87:11 88:4 89:8 92:6,22 93:13,16 94:9 95:2 96:3 99:3,13,15,18,24 100:4 102:17,19 111:2 112:5 115:13,14,23,25 117:12 122:19 124:18 131:13,15 132:3 138:16 139:10,20 140:25	141:4,15,21 142:6 143:14,16,22 143:23 144:3,9,12,22 147:22 148:5,22 149:9 153:10,16 154:5 154:22 159:19 160:6 162:10,17 163:2 165:2 182:23,24 184:16 186:4 191:8,12 192:4 193:19 194:15,15 195:9 196:3 204:7,8,11 204:16 205:14,18 buyers 24:21 36:25 buying 11:10 65:20 112:20 <hr/> C C 2:2 95:16 210:2 212:2,2 call 30:13 38:17 55:5 60:8,10 62:3 66:17,19 77:5 107:25 108:10,13 141:25 169:13 176:16 194:13 called 10:11 11:11 12:3,11 24:5 30:9 91:14 145:22 152:15 calls 36:22 37:10,12 57:8 89:19 194:14,19 Canada 128:10 canceled 96:21 capability 78:9,12,16,18 100:15 123:17 capital 28:6 159:6 177:12,16 178:4 178:11,19 179:11,14 185:4 captured 140:16 care 11:21 12:7,11,12 42:7,8 62:24 71:19 78:22 123:21 carefully 33:5 carve 62:14 161:20 162:4 199:6 carving 64:18 case 97:16 98:2 100:24 103:18 139:19 161:8 196:25 cases 97:15 catch 166:13 cc'd 100:12 101:14 110:4 ceded 108:24 center 11:16 centers 11:20 central 130:24 Centre 2:5 CEO 198:4 certain 114:21 115:6 172:7 certainly 153:3 174:5 certificate 16:20 certification 3:6 certify 210:8 212:6,13 cetera 189:4 CF 174:12 chain 49:2 64:2 83:6 152:8 159:10 174:19,25 185:8,9 203:14,16,23 challenge 13:4 challenges 62:15 chance 12:8 49:14 118:19 119:2 126:7 186:9 chances 182:7,12 change 109:16 157:2,8 changed 96:14,15,18	changing 17:23 95:18 200:15 channel 27:12 35:17 83:14 chat 152:21 153:6 check 203:9 choosing 19:5 Christian 50:20 75:10 chunk 110:24 circle 16:8 140:20 154:7 circles 141:11 circulated 91:17 claiming 93:13 clarify 15:2 32:21 35:4 47:25 81:21 89:25 142:9 149:24 154:7,19 155:20 169:21 170:3 192:13 203:19 206:11 clarifying 196:6 clarity 64:7 121:3 class 16:20 clean 150:24 clear 14:6 18:21 28:21 29:5 36:5 39:23 45:4 52:4 54:2 56:3 67:3 69:6 93:3 102:15 111:5 113:12 120:22 127:19 154:3 165:21 181:19 clearly 62:21 94:11 111:22 202:19 Cleveland 12:9 click 90:23 172:16 clicked 91:3,20 Clinic 12:9 close 67:11 178:24 closely 11:14 134:21 192:17 196:24 closer 192:16 closure 135:13 Cloud 52:14,15,19 53:9 64:19 65:13 99:8 clue 127:15 CNBC 24:13 25:7 26:3 179:4 co-branded 84:17 cognitive 11:24 cohesive 125:16 collecting 21:20 collection 21:22 college 9:15,24 10:8 combination 156:17 come 29:23 33:4 78:8 80:3 93:23 127:6,8 140:11 151:18 comes 130:19 140:17,19 coming 25:12 28:8 35:21 38:6 40:5 45:2 62:11 95:16 108:22 129:3 139:13 159:5 198:3 199:5 comment 36:24 comments 55:18 170:12 communicate 130:23 companies 10:14,24 11:2,15 12:4,6 123:23 124:9,15 126:25 128:11 128:16 185:15 company 10:11,12 11:5,11,17,23 14:7 27:3,19,23 38:15 69:21 78:9 81:8 82:5,8 84:8 94:16 111:19
---	---	---

<p>116:4 135:15,23 153:23 166:15 197:14 compared 162:24 competing 180:23 181:4 186:22 187:3,6 competitive 135:10 complaining 200:11 complaints 111:10 complete 53:5 94:14 97:3 210:12 completed 45:25 53:2 62:21 completely 93:10 117:17 181:11 187:8 complex 99:11 202:3 complexity 62:10 198:9 complicated 208:19 component 157:19 components 14:23 120:9 124:12 125:25 compounded 196:8 compressed 97:4,13 comprised 77:9 computer 67:23 142:17 concept 138:11 concern 17:25 19:10 36:7,12,14 45:3 52:6 89:17 96:20,22 123:14 134:6 135:15 183:5,9 200:6 201:7 202:12 concerned 83:19,23 92:8,9 98:18 134:25 concerns 197:5,7,8,16,22,25 198:2 198:10 199:11 conclude 178:18 concluded 209:3 conclusions 127:7,9 129:4 conditional 114:18 conducted 4:5 conference 1:17 4:6,10,13 5:12 37:11 confirm 152:9 conflict 81:10 confused 189:19 connect 11:19 77:2,3 connected 159:25 160:4 connection 36:21 130:8 connections 102:4 consent 4:15 5:6,7 consider 47:11 considered 4:16 100:5 constant 89:18 constantly 93:19 120:12 consultant 15:18 consulting 15:19 consuming 89:12 97:9 contact 12:19 contain 86:10 contained 126:11 contains 86:7,9,10,14 contemplating 162:25 content 11:9</p>	<p>contents 87:5 context 16:13 24:19 27:14,15 28:15 29:23 37:11 52:11 62:4 99:22 153:2 168:14 continuation 105:11 continue 53:6 60:23 62:25 77:20 82:25 84:12 128:16 143:18 183:3 continued 46:15 47:18 52:21 63:3 151:23 157:2 continuing 185:17 Continuity 12:12 continuous 95:3 continuously 46:13 contract 33:10 contract/consulting 15:12 contractor 15:10 101:3,5 103:19 contracts 65:8 68:3 102:3 157:10 contributed 158:22 control 4:11 19:13 80:24 conversation 24:16,24 36:11 37:4 39:5 40:10 41:5,6 42:6 54:2 56:2 60:24 62:5,22,25 63:3 66:4,20 71:15 73:19 76:6 78:5,14 122:23 123:3 130:10 131:3,11 133:21 134:2,3 147:5 148:5 154:2 162:13 163:23 164:9,11 170:8 179:19 181:18 196:23 200:21 201:5,6,10 201:11,24 202:5,11,15,22,23,25 204:25 conversational 125:10 Conversationally 56:14 conversations 36:6 37:7,20 39:9,17 42:18 43:25 44:25 47:19 57:17,21 61:25 74:3,9 90:18,20 121:7 122:9,17 125:9 128:4,17 144:21 152:22,25 154:4 156:8 180:14 195:8,12,16 196:3 convicted 8:12 convoluted 51:19 copy 85:19 91:7 core 10:25 34:4 52:20 69:22 158:11 158:14,17 183:11 corporate 69:12 139:21 correct 43:6 61:5 111:15 115:9 154:24 171:4 176:15 183:19 199:22 210:12,14 correctly 100:22 cost 46:5 52:13 124:16 128:23 138:18 139:2,16 141:5,9 142:17 206:7 207:3 costs 46:4 54:7 143:19,20 205:19 205:20 counsel 3:6 4:4,8,21 5:9 counsel's 178:8 count 161:24 162:16 COUNTY 210:6 couple 26:20 37:9 103:21 106:24 113:16,19 114:9 117:9 164:20 185:19</p>	<p>course 18:2 25:22 38:17 133:5 140:10 180:4 197:10 court 1:2 3:17 4:2,7,11,22 5:9,21 5:24 6:18,25 7:12 17:2 95:18 cover 92:20,21 covered 68:15 141:3 176:11 Covid 204:20 crazy 111:17 create 68:9 152:24 created 109:11 148:7 152:15,18,20 153:5,8,11 credentials 16:12 crime 8:12 crisp 29:2 critical 89:12 CTO 12:20 74:10 79:12 89:10 94:13,19 113:4 117:13 131:18 191:5,7,8 culture 125:10 curiosity 180:10 curious 27:18 38:4,11 current 65:10,11,15,18 66:10 84:10 124:2 141:2 188:18 cursor 58:16 curt 195:23 customer 112:16 128:20 135:25 customers 11:13 137:17,18,19,24 cut 54:6 162:16 163:9,13 205:5 cutting 163:8</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D 210:2 211:2 dark 135:2,17 139:5,8,17,23 142:3 data 11:13,16 22:19 30:3,8,10,14 30:17 31:2,5,11,17,20 32:8,22 34:13,25 35:3 45:14 46:12,18,22 46:24 47:2,2,5,7,7,8,11,17,17 50:11 52:17 55:23 56:18 70:14 71:6,9 77:21,22 89:4 91:5,8 99:4 99:6,10,14,17 100:8,11,16,18,20 100:22,23,25 101:16 102:6 104:6 104:7,12 105:2 106:10 107:10,11 107:12,14,19 108:21,22,23,25 109:4,18 110:9,14 111:11,23 112:9,12,13,13,16,20,21 114:6 115:2 122:2 124:2,6 137:23 138:21,22,23 140:17 141:9 142:13 147:24 148:8 153:19 156:22 168:2 172:8,11,14,19 193:22 194:3,9,23 195:15 203:11 205:11,13,23,24 206:3,5,7,12,24 207:3,4,7,7,8,20,21 date 1:18 5:3 16:7 31:21 49:9 60:4 63:18 80:13 85:23 89:15 98:9 104:18 105:13 109:25 116:13 118:3 120:14 131:25 152:5 155:15 165:24 170:5 172:5 173:8 186:16 198:11 211:23 dated 60:14 63:21 80:8 86:3 98:12</p>
--	--	--

104:20 105:15 110:5 111:25 118:5 165:11,12 171:3 dates 34:18 95:18 96:13,15 155:17 157:5 DAVIS 2:9 day 16:4 55:13 56:20,20 57:7 65:23 66:14 79:19 88:14 95:4 100:18 103:20 114:8 124:6 130:18 171:11 210:20 212:19 day-to-day 82:7 days 20:22 95:6 103:21 111:23 186:18 194:19 deal 94:3 118:16 180:11 181:23 192:18 deals 12:15 202:2 dealt 160:16 debtor 166:24 dec 55:14 decide 196:15 decided 37:24 74:12 decs 30:5 deep 94:5 111:6 122:13 deeper 61:22 64:4,13 65:5 66:16,22 77:5,12,14 78:3 79:4 89:4 106:11 156:24 defendant 1:15 2:9 8:9 defendants 1:10 5:8 define 109:13 155:11 definitely 35:5 degree 16:16,17,20 degrees 9:13,19 delayed 98:19 dependent 54:4 83:7 124:17 201:14 201:15 depending 81:3 120:3 deployed 34:7 deposed 6:12 deposition 1:14 4:5 6:16 20:16 21:5 21:11,13,15 121:4 169:24 210:10 212:7 describe 9:7 DESCRIPTION 211:8 descriptive 109:20 design 127:15 detail 20:6 147:4 detailed 10:16 details 147:16 192:16,21 determine 184:23 determining 134:15 159:10 develop 206:25 developed 11:19 14:20 developing 19:17 170:18 201:13 203:13 deviate 152:24 devious 153:4 different 12:6 14:9,25 33:3,4 55:20 56:5 72:5 89:13 105:13 108:2 112:21 113:8 117:17 119:24 120:2,9 122:15,21 137:19 141:11	143:14 144:6,8,20 145:14,21 157:3,20 160:25,25 172:6 differently 122:19 difficulties 103:16 difficulty 113:11 195:25 dig 65:5 digital 14:23 188:21 189:2 190:8 diligence 12:14,24 17:14 45:17 62:17,18 97:6,12,15,20,22 156:5 156:6,11,13,16 158:22,23 183:21 183:22 184:2,9,13,14,25 200:19 201:8 203:14 206:13 207:6 dinner 48:9 direct 23:9 58:14 127:18 204:14 205:2,4,22 directing 177:25 direction 14:25 81:7 82:4 directional 136:21 directly 160:21 director 22:10 disadvantaged 200:23 disagreed 199:20,24 disciplinary 17:2 disconnected 94:19,20 discover 64:25 discovered 69:15 discovering 69:8 discovery 20:21 29:11 53:25 69:2 discuss 61:10 169:7 discussed 34:24 118:23 154:10 discussing 115:7 discussion 43:2 discussions 192:18 disengaged 113:3 displayed 48:18 60:6 63:15 80:15 85:25 98:6 104:15 109:22 116:10 117:24 131:22 152:7 173:10 174:23 dissecting 75:25 DISTRICT 1:2,2 ditch 196:16 doable 124:13 doc 171:13 175:19 dock 167:18 document 29:2,17 32:25 33:3 46:22 46:24 48:20 49:8 51:21 59:24 60:3 63:17 64:15 80:7,12,16 85:22 86:22 98:8,10 104:17 109:24 110:2 116:12 118:2 125:23 131:24 132:2,7,10,14,24 133:12,19,21 135:12 138:13 141:8 142:12,19 145:22 146:2,4,6 146:19 147:7,16 151:25 152:4 168:20,24 169:3,8 170:6 171:18 172:3,17,25,25 173:5,7,15,16,17 173:19,22,24 174:13,16 176:7 184:5 211:20 documents 8:22,24 9:2,5 20:23,25 21:17,21,25 30:22,23 31:8,12	32:9,12,17,22 33:6 46:14,19 56:22 87:9,21 91:4,6,6 153:19 172:13,15,18,21 195:10 dog 140:12 doing 10:24 11:10 12:14,21 14:20 14:24 20:14 25:3 38:20 42:7,21 42:24 54:23 73:24 76:9 88:21 89:2 94:25 96:19,20,21 123:14 131:13 133:18 137:5 143:14,23 143:24 148:22 180:16 182:25 188:23 200:3 dollar 94:15 130:19 dollars 69:20 197:14 DOM 51:25 60:16 63:22 80:9,19 81:7 82:12,13,20,24,24,25 83:11 84:6,11 85:6,18 98:14,22 99:12 101:16 102:12,18 106:2,24 108:12 110:6 116:17 118:8 121:4 121:7,9,12 125:10 132:5 138:3 142:20 152:13 154:5 173:2 175:4 211:10,11,12,13,14,15,16,17,18 211:19,21 DOM's 81:6 domain 101:24 dory 162:20 download 172:13,19 downloaded 172:15 downloads 172:16 draft 50:13 57:22 90:13 124:22 125:14,21 132:14,16,21 drafted 59:9 68:8 drafting 125:23 drafts 109:19 draw 161:11 175:7 drawn 124:24 Dream 1:9,9 6:10,11 12:23 13:13 13:13,24 15:3,9,12 16:2 17:6,9 18:6,12 21:10 22:6,8,13,22 23:10 23:16,24 24:17 25:19 26:6,13,14 28:14,17 29:19,22,25 30:16 34:8 35:10,15 36:15 37:5,13,19,23 38:2 39:9,14 40:13,15 44:7,18,23 48:13 49:25 53:12,17 54:9 56:11 59:10 81:18,25 82:6 83:18 87:8 87:11,13,20 95:13 103:5,8 112:4 112:8,24 113:13 116:6 129:3 132:25 134:16 142:24 143:4,10 154:21,21 159:6 164:6,9 166:7 176:3 180:24 181:4,22 182:12,13 183:15,18,24 184:6,12,24 192:6 193:4 198:11 199:12 200:6,18 201:19 202:12 203:6,11 205:11 205:16 206:12,24 207:6,20 drilled 139:11 drive 6:3 67:19 105:19 143:19 driver's 5:16 driving 106:6,7 143:20 161:19 162:3 163:15 Dropbox 87:6,10,15,21 90:23
--	---	--

<p>91:18 171:14 due 156:4,6,10,13,15 158:22,23 183:21,22,25 184:8,13,14,24 200:18 201:7 203:14 206:13 207:6 duly 5:18 212:8 dump 142:5 duration 103:2 duties 18:10,18 19:14 dynamic 96:11</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>E 2:2,2 210:2,2 211:2,7 212:2,2 E-commerce 52:17 77:17 128:8 earlier 43:15 170:5 early 16:6 123:3 easily 124:13,13 easy 92:16,16 eBay 67:22 ecosystem 13:7 27:4 education 9:8 effect 3:16 Effectively 110:25 eight 110:3 132:4 141:24 either 39:13 128:16 159:2 212:14 Elle 85:7 email 15:21 39:21 48:23,25 49:3,20 49:21,23 50:4 60:7,13,17 63:19 63:23,25 66:21 69:16 75:6 76:16 80:7 85:5,11,12,15 86:2,5,7,14 87:5,25 91:21 98:11,15 104:19,23 105:12 106:13 110:3 111:25 116:14,16,17,19,21 118:5,9 119:15 120:5,13,17,18,20,25 121:5 124:20 125:4 128:20 132:11 169:19 170:3,4,20,21,23 171:3,9 172:3 211:9,10,11,12,13 211:14,15,16,17,18,19,21 emailed 133:19 emails 21:2 168:11 employee 15:15 115:13,14 employment 15:8 17:19 ended 14:4 70:25 126:23 127:5 133:6 135:9 136:15 140:12 energy 12:10 engage 105:19 114:25 115:17 engaged 34:12 102:24 105:2 107:24 engagement 126:2 128:21 195:8 engaging 98:19 105:5 115:10 Engineering 9:15 entail 176:10 184:3 entailed 43:2 enter 172:11 enterprise 100:6 entertaining 40:13 entire 49:2 131:16 142:5 146:13 entirely 69:7 141:18 entity 15:16 24:4 83:2 91:14 99:25 164:7</p>	<p>entrenched 33:13 equal 81:16 equity 12:3 ERP 65:10 189:12 error 191:22 especially 87:16 185:21 196:16 197:11 199:25 ESQ 2:6,11 6:5 151:24 essential 53:22,23 estate 19:4,4,10 52:8 95:18 109:8 114:21 165:8 167:6 179:24 185:23 estimate 142:12 ESW 12:3,17 et 189:4 everybody 54:8 183:7 184:18 194:16 everyday 25:9 46:16,17 evolve 157:3,8 evolving 143:17 exact 16:7 exactly 29:9 94:5,8 137:23 140:8 159:23 189:2 examination 3:7,14 6:4 151:23 209:3 211:4 examined 5:20 example 16:16 69:14 78:4 94:11 121:13 124:2 128:6,12,19 155:14 157:9 183:15 184:4 206:13 Excel 173:23 exception 98:2 exchange 180:6 exchanging 180:17 excited 197:23 Excuse 119:6 execute 131:15 133:14 executing 95:22 executive 9:11,16 executives 100:12 exhaustion 198:17 exhibit 48:18 49:9,16 59:25 60:4,6 63:15,18 75:7 80:13,15 85:23,25 98:6,9,14 104:15,18 109:22,25 116:10,13 117:24 118:3,4 121:4 131:22,25 152:5,7 173:8,10 174:23 211:9,10,11,12,13,14,15 211:16,17,18,19,20,21 exhibits 85:20 exist 14:4 135:24 existing 28:6 31:9 72:10,10 77:24 110:21 139:9,16,20 141:12 149:5 149:7 162:19 exists 97:25 exit 47:19 81:4 expand 45:15 84:12 expanding 61:12 expands 205:6 expect 194:20 expected 40:15,17 135:10</p>	<p>experience 12:17 23:11,15 25:3 61:14,19 123:19 127:23 205:17 expert 10:22 59:6,8,11 expertise 160:23 experts 59:18 explain 20:5 59:7 98:24 explanation 10:16 explicitly 110:10 express 4:15 197:5 199:11 201:18 extension 189:17 extensively 58:6 extent 205:7 extract 19:23 extracting 20:2 extraction 20:8 extraneous 163:3,5 extremely 118:12,16 eye 125:7,7</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F 212:2 Facebook 11:14 fact 5:13 62:9 66:2 196:8 factories 83:12 facts 200:2 fair 27:5 29:18 41:7 44:5 46:25 47:6 50:24 70:12 96:5,10 97:2 112:22 119:16 121:8 127:25 150:2,2,10 160:13 189:6 195:24 fairly 97:3 99:11,11 203:4 faith 131:14 Falcon 2:4 6:8 fallen 142:10,10 false 69:7 familiar 100:24 family 149:18,20 famous/public 25:10 Fantasia 212:4,22 far 124:16 128:21 fast 17:15 32:14 104:11 118:12,16 FEDERAL 3:2 fee 19:11 feel 89:22 90:3,6 103:24 126:22 198:13 207:17 felt 43:19 141:13 163:14 fewer 136:10 fifth 174:10 figure 29:12 73:22 94:5,7 183:4 190:8 208:25 figured 94:8 figuring 17:22 36:4 52:25 88:18,18 89:8 97:10 159:16 files 22:20 93:21 filing 3:7 final 57:22 125:14 174:11 finally 95:19 finance 134:19 financial 19:18 47:10 86:25 91:24 92:25 159:3 167:24 183:16</p>
--	---	--

<p>201:13,15 203:13 204:20 206:25 financial's 183:18 financing 159:6 185:5 208:2 find 22:2 71:7 96:17 136:18 137:7 154:15 194:23 195:5 finding 32:14,18 33:23 38:20 50:10 57:9 59:15 62:15 fine 13:12 15:24 35:9,9 51:17 63:11 76:19 151:16,17 208:10 finish 124:7 151:12 finished 7:5 49:6 fire 79:18 fired 131:16 firm 6:7 firmed 12:3 first 5:18 10:24 11:2,5 24:14,15 25:6,16 31:20 33:13 37:15 42:5 48:25 49:19 51:7 54:16 55:5,7,13 57:5 59:4 60:15,18 62:22 63:22 75:6 76:4 79:18 80:9,18 98:13,17 98:17 102:10 104:21,25 105:18 107:9 110:5,7 114:11 118:11 121:2 122:22 125:22 132:5 138:15,17 140:7 141:4 152:12 174:6 fish 129:21 Fisher 85:6 fit 20:14 five 79:25 93:9 126:23 138:25 208:8 fixated 200:9 fixing 204:15 flash 130:15 flowing 180:12 flows 140:14 fluid 96:10 198:20 208:19 focus 16:10 51:4 68:25 70:3 77:21 136:23 137:5 155:3,18 156:6 158:11,17 163:9 189:2 focused 14:22 17:21 26:17 31:18 35:18 130:21 133:16 135:4 188:14 focuses 158:15 focusing 126:9 folks 24:20 25:25 37:12 38:22 41:4 43:22,24 54:14,21 61:15,20 68:8 89:7 100:12 101:16,18,22 106:25 107:2 113:16 119:25 128:5,5 follow 53:8 192:25 followed 143:5 150:13 following 42:17 48:7 53:8 119:24 144:8 145:3,15 147:5 148:21 182:21 183:2 194:6 follows 5:20 followup 163:23 force 3:15 144:3 forces 24:24 41:13 181:19,20 foresee 58:25 forget 136:8 159:18</p>	<p>forgot 204:3 forgotten 135:18 form 3:10 18:4 57:22 181:23 formal 120:24 formally 142:16 format 15:22 137:17 formed 14:7 16:4 99:19,20 formulated 90:16 formulating 89:13 95:20 119:25 forth 180:13 198:7 212:8 forward 14:15 19:2 55:11 117:13 161:8 177:8,12,16 184:17 found 136:19 four 60:15 126:23 139:18 140:21 141:10,23 182:8,13 199:17 fourth 174:10 fraction 128:22 free 108:13 fresh 27:20 front 21:18 fry 129:21 full 87:17 167:18 168:23 full-time 18:14 fully 19:13 57:11 166:5 195:10 function 161:9 functions 130:8 fundamentally 200:4 funding 162:18 funds 88:4 furniture 23:3,4 further 3:9,13 4:12 44:6,22 64:16 139:11 141:13 208:13 212:13 future 5:3 64:25 84:11,13 85:4 94:10 126:4 127:16</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>G 210:2 game 131:5 198:14 gap 67:4 gaps 27:7,22 32:18 58:23 59:11 167:19 173:14 204:9 gather 53:3 gathered 73:21 204:24 Gatorade 12:10 GCP 51:10 52:13,15 77:16,16,16 77:17 general 71:15 75:23 76:6 79:8 83:19 113:6 164:15 generally 10:18 75:16,19 generated 140:18 get-go 119:21 getting 12:13 18:21 33:15 43:25 45:25 54:21 56:20 63:6 70:10 71:16 76:8 78:19,23 84:24 96:14 96:15,18 100:21 101:23 103:19 108:21 110:14 111:16 112:9,23 112:25 114:22 126:2,24 137:6,21 139:7 140:12 147:14 169:19 182:20 191:3 195:25 197:19</p>	<p>GG 48:25 86:19 93:4 211:9 gigantic 124:4 give 7:22 49:3,13 100:17 109:14 124:14 133:13 137:22 138:17 156:7 157:23 188:17 190:23 196:19 given 16:19 106:18 114:11 116:24 117:10 138:16 176:8 210:14 212:11 gives 134:10 136:20 giving 34:18 44:2 120:11 141:22 155:13 156:20 157:9 206:19 glasses 8:21 Global 1:3 6:9,10 24:5,10,14,17 25:2,7,16 37:14,20,24 38:6,8,18 39:15 40:14,17 41:8,20,23 43:4 43:20,22 44:6,17,22 45:4 47:22 49:25 50:2 51:18 53:4 56:8 59:12 59:14,20 61:4 64:7 66:25 78:12 78:15 79:2 81:24 82:22 86:23 88:10 91:12,13,23 117:21 129:9 129:15,17,22 130:9,13,14,16,24 138:20 141:6 142:11 143:24 144:11,24 145:3,6 146:22 147:14 147:19 148:5,9,13,17,23 149:6,10 149:22 150:6,9 162:6,8,10 163:20 164:10,21 166:10 167:5,23 168:12 171:18,24,25 172:3,9 173:3 177:7,11,15 178:3,11,18 179:16,18 180:5,9,23 181:4,7,9 181:22 182:7,12 183:2 186:23 187:3,14,16,22 188:3,5,9,12,14 188:20 189:7,23 190:3,25 191:4 191:20,21,23 192:2,9,10,16,21,25 193:10,21 195:8,12 Global's 25:12 26:4 66:23 88:3 142:25 145:18 146:15 148:12 150:12 go 1:3 6:9,10,14 10:2,13 11:6 15:4 15:16 18:25 19:5 24:5,9,14,17 25:2,6,11,16 26:3 30:6 33:8 37:14 37:19,23 38:6,8,18 39:8,15 40:14 40:17 41:8,20,23 43:4,19,19,22 44:6,17,21 45:4 47:22 49:25,25 51:18 53:4 55:10 56:8 57:11 59:12,14,20 61:4 64:7,16 66:23 66:25 67:22 69:17 74:12 75:2 77:14 78:3,12,15 79:2,3,4,21 81:24 82:22 86:23 88:2,9 89:10 91:12,13,23 94:4 106:11 110:20 110:25 111:24 117:13,21 120:15 128:25 129:8,15,17,22 130:9,12 130:13,16,20,24 134:25 135:17 138:20,24 139:4 141:6 142:11,25 143:24 144:11,24 145:3,6,18 146:15,22 147:14,19 148:5,9,12 148:13,17,23 149:5,10,22 150:6,9 150:12 151:5 155:5 161:7 162:6,7 162:9 163:20 164:10,21 165:4,7</p>
---	---	---

<p>166:4,10 167:5,23 168:11 170:10 170:20 171:12,18,24,25 172:3,9 173:3 177:7,8,11,12,15,16 178:3 178:10,18 179:16,18 180:5,8,20 180:23 181:3,7,9,12,13,22 182:7 182:12,25 184:16 186:23 187:3 187:14,16,22 188:3,5,8,11,14,19 189:7,23 190:3 191:4,23 192:2,9 192:10,15,21,25 193:9,21 195:8 195:12 207:10,17 208:9 goal 64:4 135:3 139:25 goes 93:9,24 140:18 going 6:14,19 7:18 8:22,23,25 9:12 14:12 16:8 17:25 19:9 27:21 28:5 28:12,13,24 29:9 32:14,24 33:2 34:7 36:10 39:25 40:2,7,23 43:19 45:3 49:13,19 50:3 52:6,24 53:4 56:4,8 61:22 65:22 66:13 69:6 75:5 77:20 79:20 82:5 88:12,19 89:4,16 90:19 91:11 93:12 94:5 95:17,21 96:20,22 97:8 98:14,24 108:20,23 110:25 111:19,22 117:7,17 121:21 122:16,18,20 125:3 126:4 130:5,18 133:9,10 134:6,12,13,25 135:14 137:12 138:7,18 142:18 145:2 151:2,5 153:23 156:9,9 157:4,4 159:23 161:10 162:18,20 164:15 167:13 180:12,18,19,20 181:8,10,12,22 183:5 188:13 189:12,20 194:22 196:19 197:9 199:4,6 205:22 good 6:6 26:23 27:9 55:10 58:18 90:9 113:21 131:5,18 161:6 191:15 207:17 208:24 goods 23:5 205:20 206:7 207:3 Google 33:22 51:9 52:13,15,19 53:9 64:19 65:2,13,17 67:16 69:19 99:8 141:19 gotten 138:12 188:7 graduate 9:19,21,24 10:3 16:17 graduated 10:8 grandiose 94:2 granted 172:8 great 75:11,15,20,22 76:9,10,11 79:13 GREENBAUM 2:9 grocery 11:7 ground 6:14 117:19 group 10:20 147:24 152:15,18,23 152:25 153:8,11 156:10 guaranteed 82:12 84:7 guess 40:12 59:18 82:11 90:5 104:11 145:12 152:21 153:13 157:18 162:8,13 163:14 164:12 164:25 167:9,14 168:7 181:6 190:5 206:9 guessing 51:16 157:21 164:23 168:4 170:21 206:4 guidance 116:23</p>	<p>guy 159:19 175:9 185:10 guys 21:2 24:21,23 39:2 40:5 41:5 41:11 59:17 66:10 104:5,7 107:23 108:11,17 109:9 114:22 131:4,17 138:11 149:4 168:8 176:7 190:19 199:18</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>H 5:17 211:7 Ha 180:3 half 79:21 hand 161:13 212:19 handle 69:3 70:10,13 hands 158:9,10 happen 93:25 167:13 happened 113:6 130:12 133:8 176:20,21 177:6 happening 64:24 69:4 88:15 89:9 94:8 96:18 155:5 199:7,9 happy 7:22 111:8,13 hard 42:14 43:23 69:10 123:20 161:20 162:4 163:15 hardcore 10:20 Harvard 9:11,15,17 head 22:10 100:10 129:23 130:25 159:14 168:5 health 11:8,20 12:7,11 42:7,8 62:23 71:19 78:22 123:21 heard 24:4,6,15 25:6,16 43:17 104:4 144:20 199:2 hearing 155:15 held 1:17 help 6:15 12:24 17:14,15 18:7 50:13 64:6 99:16,21 116:2 132:16 132:21 155:20 170:3 202:4 helpful 10:18 100:7 hereinbefore 212:8 hereto 3:5 hereunto 212:19 Hewlett 10:9 hey 17:14 24:21 27:18 28:8 36:9 40:4 54:6 59:17 69:16 82:3 83:13 133:17 198:3 Hi 106:16 high 9:21 71:15 78:24 112:13 133:10,16 148:20 higher 67:19 130:6 175:21 highlight 58:18 103:18 142:23 161:10 highlighted 161:15 169:15 highlighting 161:12 highlights 92:5 Highway 2:5 hire 67:23 126:18 131:17,17,19 139:20 165:7 hired 115:22,24 167:10 201:22 202:6,8,11,17 hiring 115:6 126:23 133:6 historically 162:17</p>	<p>hold 42:15 holistic 200:21 honestly 137:13 hope 48:20 208:19,22 hosted 172:8 hour 79:21 124:4 151:16 hours 88:13 95:4 housing 52:17 HP 10:19 huge 28:6 33:20 51:8 Human 207:21 hundred 50:14 99:19 133:3 hundreds 32:11,17,17,21 33:17 124:5 hunky 162:20</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>i.e 58:22 IBM 34:3 52:21 64:22 65:9,16,21 65:22 66:11 67:14,21,23 69:23 70:19 77:24 89:7 149:5 IBM-i 64:22 65:6,8,12 66:8 ID 211:8 idea 26:18 28:2,22 32:4 40:11 53:14,20 67:5 69:5,14 71:16 90:9 133:17 138:17 150:16 153:21 164:25 165:2 187:18 ideas 28:15 29:24 53:21 54:18 153:22 180:17 identification 54:17 56:13,24 57:23 identified 51:25 53:12 54:3 identify 51:21 imagine 95:23 130:3 immediate 55:6 immediately 55:4 103:19 105:2 implementing 122:4 import 205:2,5 important 32:15 35:19 135:16,25 importing 23:7 204:14 impressed 136:24 178:24 179:16 impressive 179:5 in-person 48:13 incite 178:21 183:14 include 129:8 included 183:11 including 83:12 independent 68:7 178:17 179:6 180:21 181:16 independently 181:15 Index 1:6 India 98:22 106:3,3,25 107:20 individuals 115:18 Industries 1:9 6:11 industry 27:2 119:23 128:5,7 info 191:19,25 informality 60:11 information 9:9 26:2 38:21 45:9,13 46:6,7 47:2 54:8 55:12 59:16,20 62:20 69:10 70:10,14 71:5,8 87:9</p>
---	---	--

87:22 88:6 89:22 90:4,6 93:20 95:15 96:8 97:8,9,17,24 110:14 112:19,23 113:10 114:4 126:11 145:9 148:6 164:8 180:12 184:23 185:2 188:6 193:12,21 194:2,17 194:23 195:6,25 196:9 204:6 205:7 informational 42:22 informed 178:12 Infosys 44:15 53:7 126:20 initial 14:3 78:14 106:10 109:19 112:12 initially 115:21 138:10 157:2 initiative 17:16 45:24 176:19 initiatives 97:12 insanely 89:20 insights 31:12 57:6 instance 100:22 160:13 intact 96:25 intelligence 10:23 intense 95:11 intent 59:13 188:4 interconnected 33:18 interest 81:11 163:21,22 164:4 198:23 interested 25:14 26:20 35:10 36:16 41:8 49:2 59:19,21 70:17 74:18 74:22 75:3 85:4 113:10 117:12 149:13 163:19,25 164:7 180:8 212:16 interesting 32:20,20 33:9 40:25 93:9 131:7 179:24 internal 87:17 106:2 107:4 201:19 202:13 internally 139:25 188:10 192:6 International 12:15 interrupt 119:7 128:24 intertwined 33:18 introduce 84:20 introduced 37:14 38:5 introductions 71:18 invented 11:3 inventory 140:11 174:9 invest 81:14 investing 80:19 134:12 207:9 investment 57:11 64:6 80:25 82:24 97:12 184:4 203:4 investments 64:18 124:5 investor 82:4 88:4 investors 28:7 involved 54:22 55:9,15 56:21 97:22 134:15 136:9 154:11,13 184:8 involvement 22:13 207:15 IP 17:24 36:9 52:6,11,12 58:25 89:16 96:19,21 102:5 106:18 107:7 117:8 183:6 issues 55:3 58:25 79:5 83:9 93:11 93:14 198:3 204:21,21 iterations 136:14	<hr/> J <hr/> January 198:15,21 Jennie 1:18 212:4,22 Jersey 2:10 48:14 jet 55:16 job 202:18 jobs 111:17 John 196:22 join 24:23 41:12 175:17 176:13,16 joined 11:17 28:16 29:25 30:2 123:4 joining 14:4 181:18,20 joint 37:3 jointly 164:13 journey 42:13,14 43:3,5 45:24 Joy 195:20 July 16:6 98:12 101:11 102:20 104:20 105:15 110:5,23,23 111:25 115:24 120:19 159:22 186:19 jump 62:3 jumped 17:18 121:3 June 36:8 37:16 48:2,8,13,24 49:20 50:25 51:25 53:11,17 54:9,24 56:11,25 57:24 60:14 61:7 63:21 80:8 86:3 89:21 90:21 94:23 131:8 152:14 153:11 165:11,12 171:3 172:2 176:2,22,25 177:5 179:22 183:16,25 184:12,25 186:21 190:22 192:15 193:8 195:3 <hr/> K <hr/> K 210:2 Kathtan 22:5 101:14 Kaustubh 101:17 106:25 keen 36:4 keep 78:24 84:18 113:22 126:21 151:4 152:25 203:17 keeping 135:24 204:21 kept 67:6 89:16,17 96:14,15 186:16 200:15 204:17 key 51:21 52:2 53:12,16 54:17 56:13,24 57:23 107:13 115:22 139:7 kicked 18:14 kids 27:19 Kilgallen 1:19 212:22 kind 15:11 39:3 45:12 82:17 112:19 125:7 128:18 131:6 136:11 156:20 157:6,17 184:19 189:14 197:7 198:8 202:2 kinds 22:21 78:21 KKR 12:18 Klaviyo 128:20 knew 17:16,17,18 26:24 27:2 38:12 54:12 79:10 115:25 123:7 135:14 149:16,21 150:3 165:25 166:5	178:14 179:10 186:19,19 192:22 193:2 know 7:11,16 9:5 14:13,15,21 16:5 16:15 17:15,18 19:9 21:7,13 22:2 22:6,9,12,22 23:10,14,16,19,23 24:3,9,21 25:8,15,22 26:7,7 27:10 28:16,17,19 29:6,22 30:7,19,21 31:19 33:22 34:8,12,23 35:2,8,10 35:16 36:15,23 37:13 38:8,9,12 38:24 39:12,21 40:4,9,14,19 43:18,24 44:3 45:12,20 48:9 49:4 49:5 50:6,6,8,11 51:13,15 53:6 57:4 58:7 59:9,10 61:6 62:12,13 68:22 71:8,16,20 73:7,10,11 75:24 76:9,12,20 78:8,23 79:3 81:10,18,24 82:6,7,23 83:18,22 83:23,25 84:6,16,19,24 85:3,13 85:14,16 86:22 87:8,15,19,23,24 88:13 91:17,20 93:7,18,21 97:23 100:5 101:7 102:18 104:4 108:7 108:11 112:23 113:7 120:8 121:14 123:5,9 124:11 125:22 126:19 127:2 128:5,14 129:22 131:6 133:19 135:4,5 137:12 138:18 141:22 144:11 145:10,23 147:9 148:24 149:11 150:11 151:9 153:4 154:20 156:8 158:6 160:15 161:6 162:5 163:12 164:22,24 165:22 166:2,24 167:7 167:23 168:13 170:12 174:4 177:15 178:10 179:2 180:21 182:25 183:23 184:6,18,21,21,22 185:3,11 186:11 187:10,23,24 189:2 190:5,10,11,15,15 192:2,21 193:4,12 194:6,7,10,11,12 196:2 196:13,13 197:20,21 198:24 202:20 203:11,22 205:2,11,20,22 205:23,25 206:2,4,8,10,11,14,16 206:24 207:5,19 208:18 knowing 205:14 knowledge 5:11 knows 98:19 192:16 <hr/> L <hr/> L 5:17 210:2 labeled 86:18 168:12 173:18 labels 140:17 lagged 55:16 laid 111:16 large 11:15 12:8,19 99:11 203:4 larger 111:7 late 28:17 198:14 200:12 launch 135:19 151:10 157:16 launched 95:11 launching 127:2 197:13 law 4:17 6:7 46:10 lawsuit 8:9,15 129:22 lawyer 141:25 layer 92:6,18
--	---	--

<p>Lazard 24:19 30:9,14,17 31:2,5,20 32:8 35:3 36:21,23 37:8,12 39:10 39:13 41:4,11 45:13 47:13 70:14 71:6,9 89:4 90:12 138:22,23 142:13 147:23 148:8 153:19 167:25 168:2 192:16,25 193:22 194:3,22 195:14,25 196:2,6,10 206:3,5 207:4,21</p> <p>Lazard's 206:6</p> <p>leadership 142:7</p> <p>leaked 24:13</p> <p>learn 29:8 38:15 40:22 145:9</p> <p>learned 83:5 145:14 157:3 181:21 181:25 182:2</p> <p>learning 41:8 42:20 57:9 59:21 61:15 164:7 178:23 199:24</p> <p>leave 13:20,23 109:13 114:13,23 196:20 203:25</p> <p>leeway 206:19</p> <p>left 13:11 14:8 115:23 140:21 174:7 199:4</p> <p>legacy 137:15</p> <p>legal 177:22</p> <p>legally 45:5 147:22</p> <p>legs 80:2</p> <p>lenders 162:19</p> <p>let's 29:8 38:7 40:6 64:16 77:15 79:25 81:23,23 90:5 107:23 108:19,20 126:14 150:8,14 151:15 198:4</p> <p>letter 194:7</p> <p>level 42:11 71:15 78:24 79:8 112:13 133:11,16 148:20 192:8</p> <p>liabilities 33:11</p> <p>liberty 167:2</p> <p>license 5:16</p> <p>licenses 16:11,24</p> <p>licensing 16:19 17:3</p> <p>life 79:2</p> <p>lift 14:24</p> <p>light 190:18</p> <p>liked 79:13 94:22,23 191:6,10,11</p> <p>likes 125:5,5</p> <p>limited 140:4</p> <p>line 120:5,24 146:11 151:13</p> <p>lines 164:20</p> <p>link 86:9 87:6,16 90:24 91:18 171:14</p> <p>list 106:11 121:24 131:20 165:6 166:3,4,18</p> <p>listed 85:12,17 142:24</p> <p>listen 57:14 70:4 157:24 205:9 206:23</p> <p>litany 55:18</p> <p>litigation 4:19 21:21</p> <p>little 14:16,17 16:10 20:5 61:22 69:9 73:9 77:5,11 79:21 110:13 135:9 139:15 161:12 167:2 180:16 189:19 194:18 198:13</p>	<p>live 34:7 77:22</p> <p>Livingston 2:10</p> <p>LLC 1:3</p> <p>LLP 2:9</p> <p>local 98:21</p> <p>locations 4:8</p> <p>locked 53:15 54:24</p> <p>locking 53:18</p> <p>logistics 159:10,15,17,19,23,24 160:9 185:8,9,15 203:15,17,22</p> <p>long 92:24 95:9 111:18 123:4 139:9 151:2 152:13 204:10</p> <p>longer 14:17,17 79:22 114:9 151:5 151:5</p> <p>look 18:25 31:25 32:3 33:5 36:12 36:13 37:24 39:16 40:2,8 41:15 43:14,14 46:5,15,18 52:13 65:15 72:9 77:15 86:11 87:4 91:23 92:9 92:10 101:22 108:17,25 109:15 120:24 121:21 123:16,24 125:6,7 129:12 130:5 134:3 136:3 142:4 143:16 156:21 167:10,11 168:8 170:4 172:18 173:15 201:25 205:2</p> <p>looked 20:18,19,24 30:3 45:19 46:17 54:10,12 65:8 91:5 92:4,24 128:6,9 136:16 138:13,25 161:5 172:22 175:18 200:2 205:19,20 205:22 206:3,12,14 207:3,8,20 208:4,5</p> <p>looking 12:25 32:5 55:23 57:6 68:2 71:5 73:23 78:6 84:20 85:8 88:15 121:13,18,23 125:19 126:2 137:7 146:7 157:10 164:15 179:24 184:4,19,22 185:11 188:5,8 189:7 203:14</p> <p>looks 129:22 138:2</p> <p>lose 27:11</p> <p>losing 83:19</p> <p>lost 82:20 131:14</p> <p>lot 10:20 11:15 12:8 24:12 27:2,24 31:8 33:21 36:6 38:9 42:8 52:20 62:10 71:18 83:11 84:9 89:18 90:11 92:11,21 93:11,14 96:5,7 97:7,8,17 99:6 102:12 104:6 107:12 108:3,20,24 109:7 110:17 121:18 122:4 125:10 129:6 135:21 137:15,23 151:5 157:10 163:6 179:2 184:14 196:9,18 198:24 199:3,9 206:19</p> <p>low 111:20 128:7</p> <p>lower 124:16 143:19,20</p> <p>LRP 86:19 93:4</p> <p>lucrative 83:16</p> <p>lunch 151:15</p> <p>luncheon 151:21</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>M 5:17,17 210:2</p>	<p>magnitude 197:13</p> <p>main 64:3</p> <p>major 170:12</p> <p>making 22:19 38:9 102:2,8 176:10 190:6 197:14,19 198:5 200:9</p> <p>Malhotra 1:15 5:13,23 6:1,6 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1,7 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133:1 134:1 135:1 136:1 137:1 138:1 139:1 140:1 141:1 142:1 143:1 144:1 145:1 146:1 147:1 148:1 149:1 150:1 151:1 152:1,14 153:1 154:1 155:1 156:1 157:1 158:1 159:1 160:1 161:1 162:1 163:1 164:1 165:1 166:1 167:1 168:1 169:1 170:1 171:1 172:1 173:1 174:1 175:1 176:1 177:1 178:1 179:1 180:1 181:1 182:1 183:1 184:1 185:1 186:1 187:1 188:1 189:1 190:1 191:1 192:1 193:1 194:1 195:1 196:1 197:1 198:1 199:1 200:1 201:1 202:1 203:1 204:1 205:1 206:1 207:1 208:1 209:1 210:8,18 211:5</p> <p>man 22:3</p> <p>management 26:22 27:25</p> <p>managers 113:18 117:14</p> <p>manner 4:14 72:19 124:17</p> <p>manufacture 23:3</p> <p>manufacturing 23:6</p> <p>map 132:3 146:9</p> <p>margin 84:18 204:14,23</p> <p>margins 83:8 205:6,15</p> <p>mark 14:16 34:19,20 49:10 59:25 83:18 106:12 108:3 110:4,4 118:6 118:23 120:11,20 122:5,6,9 123:2 124:20,22,24 125:4,9 133:12,17 133:20,20 135:4 136:25 138:17 153:7 156:21 203:7 204:25</p>
--	---	--

207:13 Mark's 83:12 marked 49:8 60:3 63:17 80:12 85:22 98:8 104:17 109:24 116:12 118:2 131:24 135:13 152:4 161:16 170:5 173:7 market 27:22 35:24 67:24 69:22 84:2 135:21 137:24 198:23 marketing 101:22 122:2 145:17 marriage 212:14 married 11:8 material 89:13 materials 20:19 30:7,25 45:17 matter 6:9 59:6,8,11,18 92:10,13 186:7 212:17 matters 92:14 mattresses 84:22 MBA 9:16 Me's 22:13 48:14 154:21 182:12 205:16 mean 19:3 38:5 39:18 40:22 43:4 47:8 55:13,22,22 61:17 63:6 68:24 70:18 74:8,9 75:23 76:2,6 78:18 81:15 82:16 85:5 88:2 92:4 92:18 97:5 105:24 119:6 120:7 122:13 128:24 131:10 137:15 139:8 140:24 155:7,12 158:10 159:12 167:9,14 169:11 177:21 179:8 180:10,10,13,25 181:6,13 182:16 189:20,24 196:12 197:17 197:25 202:16,21 203:7,17 207:8 208:4 meaning 96:23 147:13 181:15 meaningless 76:3,5 92:17 93:10 94:10 means 27:6 36:2 41:17 137:10 139:3 203:23 meant 18:3,23 141:20 162:12 media 25:24 29:7 101:23 131:6 157:5 198:24,24 medications 8:17 meet 40:23 41:12 149:25 150:9 meeting 4:10 40:5 48:2,3,8,9,10,13 48:15 61:3,6,11 88:7,8 129:14 175:9,14 176:13,20 meetings 47:22 74:4 176:19 members 161:2 195:13 memory 8:18 mention 149:2 mentioned 17:5 22:3 26:19 28:14 40:4 41:19 52:14 56:21 61:13 62:2,22 64:17 70:9 78:20 82:19 99:6,8 106:25 113:4 117:11 121:2 136:20 138:20 141:17 145:8,24 153:20 162:9 166:3,16 173:12 message 39:22 165:11,24 173:25 191:16 met 37:23 149:21,23 150:6,10 Metrics 10:25	Microsoft 87:12 117:20 127:3 middle 74:10 83:10,15 113:5 116:21 170:10 middleman 205:5 middlemen 83:7 midnight 140:9 midsize 11:23 migrate 65:22 66:14 migrated 66:12 migration 71:21 72:17,21 73:5,17 74:16 90:8,10 94:12,14 Milan 34:13,21 156:20,21 177:7,10 178:5,8,14 180:2 184:19 188:25 192:15 193:6 million 52:16 77:15 80:19,20 81:15 94:14 138:18,24,24 139:3,12,12 140:21,22 141:3,5,9 165:5,19,22 167:8 175:22 203:9 millions 69:20 112:17,17 124:5 mind 60:8 129:20,20 130:10 135:25 189:4 minimal 110:9 minimum 163:16 194:7 minority 81:2,16 minute 49:3 79:24 80:2 208:9 minutes 93:5 185:19 missed 107:16 missing 107:13 mix 166:6,8,11,19 198:20 mixed 169:19 182:22 model 19:18 36:12 45:19 46:5 86:23,25 87:3 91:24 92:25 93:2,4 134:18 136:5 137:11 142:19 155:14 157:20 159:3 163:12 167:24 168:12 173:3 174:6 183:16,18,22 201:13,16 203:13 206:25 models 136:4,10,10,12,14,16 137:8 139:6 141:11 moms 135:21,23 money 102:12 137:12 139:17 149:17 164:16 185:23 199:6 203:8 month 13:21 137:2 139:24 140:2,6 140:9 197:13 monthly 174:9 months 63:13 65:19,19 71:14 101:2 108:6 118:13 138:25 139:17,18 140:22 141:10,23,24 morning 6:6 9:2 169:6 motivation 111:20 motivations 27:13 mouse 165:20 mouth 41:10 move 14:15 33:15 165:19 moved 131:7,8,10 175:9 186:18 movements 6:25 moving 14:22,24 17:16,23 22:20 26:25 89:16,17 120:21 138:2	155:16 157:5 186:16 198:9 multiple 12:15 57:8 102:7 136:12 MURPHY 2:11 5:7,14 17:12 41:9 49:10 57:2 71:11 73:6 74:23 75:2 76:22 81:21 89:25 91:9 127:25 149:24 151:8,11,14,17 169:22 170:2 171:8,15,19 175:3 177:18 177:22 178:6 190:13 206:9 208:10 muscle 85:9
N		
N 2:2 210:2,2 211:2 name 5:22 6:6 22:4 25:12 26:4 92:21 101:24 159:19 166:16 197:11 named 22:3 names 190:25 191:3,9 narrative 149:8 navigate 9:5 necessarily 182:18 necessary 53:18 126:22 need 7:10,22 10:15 17:14 32:3 33:9 37:6 41:5 54:13 67:21,22 69:12 70:3 72:6 105:19 106:12,17 107:7 108:8,17 111:14 114:19 121:24 121:25 123:15 130:7 134:11 136:21 147:12 151:4,6 183:3 186:22 188:16 192:8 195:20 202:4 needed 14:25 28:22 51:9,22 52:2 53:12,18 54:10 56:7 65:5,20 89:23,24 90:4,7 100:19,19,23 106:8 107:9,18 123:12 130:6 133:15 134:23 163:16,25 187:24 201:20 needlessly 151:2 negotiation 90:11 neither 57:12 Net 11:14 network 121:10 never 176:20,20 200:17 new 1:2,20 2:5,10 5:20 15:15 46:14 46:18 48:14 68:9 72:5,7,7 82:8,21 83:2 84:8 98:21 108:6 116:3,25 117:6,9,19 123:24 135:23 141:7 144:19 154:14 155:14 163:7 185:11,12 210:23 212:5 newer 124:11,12 news 24:12 25:8,11,22 38:9 nice 29:2 night 55:17 nights 200:12 nine 139:2,17 140:22 141:24 152:13 NJ 5:16 noise 89:18 179:2 198:25 non-responsive 206:20 nonverbal 6:21		

<p>normal 164:18 Notary 1:19 3:15 5:19 210:23 212:4 note 7:23 56:19,19 73:13 168:17 180:25 notes 21:3,14,17 25:5 161:2 208:9 Notice 1:17 Novella 11:6 November 212:20 nuanced 157:23 number 48:25 49:24 80:9 85:16,18 86:4,7,14 98:13 104:22 110:5 116:16,17 118:8 128:11 132:5 138:22 139:12 142:20 152:12 171:23,25 172:25 numbers 140:23 175:21 nutritional 11:9</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O 5:17 210:2 o'clock 151:11 oath 8:5 210:10 objection 4:25 5:3,5 17:12 41:9 57:2 71:11 177:18,21 178:6,9 objections 3:10 objective 14:10 obsessing 88:16 obtaining 36:16 113:10,11 obvious 202:16 obviously 9:4 28:22 41:2,15 76:12 78:4 83:23 84:2 96:16 155:3 occasion 208:23 October 1:12 13:22 129:15 210:11 offers 180:4 offices 48:14 officially 138:21 oh 37:6 67:6 86:13 93:23 145:16 201:23 okay 9:6 33:8 35:13 36:15 38:24 47:6 49:18 57:16 61:24 66:4 70:6 70:7 75:5 76:24 77:23 79:11 83:3 84:23 86:13 88:14,25 93:6,7,7 102:18 105:16 106:9 108:16 119:9,16 126:6 130:17 138:23 142:15 144:18 148:3 150:21 151:3,13 159:13 160:7 161:14 165:3 167:7,17 168:19 173:21 176:12 177:5 184:21 191:15 192:5 196:7 201:11,23 206:17,22 207:14 old 34:3 52:21 67:23 93:22 100:23 110:21 123:24 older 11:25 27:20 99:9 onboard 98:21 one-on-one 37:9 ones 22:2 72:10,11 84:24 121:19,20 ongoing 19:3,5 36:6,12,14 123:14 142:17 175:21 183:5,8 online 58:22 137:6</p>	<p>open 87:2 113:19 opening 137:22 operate 28:13 operating 10:19 197:21 operational 14:13 22:18 52:20,22 65:4 77:18 135:15 140:3,6 operations 19:12 20:11 94:17 160:19 opinion 103:12 156:7,20 opinions 153:22 opportunity 12:22 141:16 150:23 204:14 205:21 207:18 opposed 65:12 103:20 104:11 120:25 147:15 options 47:19 89:14 165:8 Optum 11:18 Oracle 33:22 42:18 44:15 52:23,25 53:2,5,9 56:4 62:3 64:19 65:2,13 65:17,23 66:9 67:5,6,6,15 69:18 73:24 94:12 122:20 126:20 128:18 139:14 143:25 149:4 175:10 176:14,20 177:2 189:10 189:11,14,14 194:16,20 Oracle's 189:13 order 65:4 100:10 107:7 140:7,13 203:12 206:12,25 org 118:19 119:3 125:18 126:8,10 129:5 organization 12:20 28:9 62:11 72:5 72:6 111:8 112:18 113:7,23 124:4 126:14,15,16 organizational 20:10 organizations 12:9 outcome 124:14 212:17 outreach 14:3 outside 68:15 79:2 121:9,11 129:3 129:12 131:5 overbuild 128:17 overcomplicate 124:11 overcomplicated 51:20 overseas 83:11 oversimplified 134:9 overspend 128:16 Overstock 104:12 111:7,13 180:5 owns 12:19</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P 2:2,2 P-E-R-O-T 149:19 P&L 174:14 p.m 49:21 177:5 179:22 182:6 183:17 190:22 209:4 pace 104:11 118:12,15 125:3 package 120:11 Packard 10:9 page 48:24,25 60:15 63:22 80:9 98:13 104:21 110:5 132:5 134:14 138:2 142:18,19 147:16 152:12 167:17 170:11 174:19 175:4</p>	<p>179:23 191:16 211:4 pages 60:15 63:22 80:8 98:13 104:21 132:4 152:13 paid 15:6 102:12 pan 130:15 paper 96:2 paragraph 77:2 98:18 102:10,22 105:18 107:22 110:7 114:24 parasocial 129:18 parents 27:21 part 12:18 13:5 19:20 20:21 27:9 28:11 41:2,3 42:5,25 52:5,6 62:23 63:25 77:12 81:8,12 85:8 96:13 100:2,5 109:4,10 112:11 114:13 124:8 156:10 162:22 164:10 174:2 180:11 181:23 206:5,6 participated 23:17 participating 4:9 187:11 participation 164:5 particular 138:4 156:2,5 parties 3:5 4:4,16 212:15 partner 36:16,20 37:6 81:16,17 84:15 partnering 78:10 81:24 126:25 partners 85:3,13,14 143:4 149:12 159:24 partnership 24:18 37:21,25 38:3 39:15,19 40:11,14,16,18 41:15,17 41:17 64:7 78:6 81:3,20 82:22 131:4 144:4 181:23 parts 51:5,5 198:9 pass 138:15,17 141:4 Passive 75:19 path 14:9,20 52:24 53:4,7 56:4 122:15 126:20 145:4 147:6 paths 53:9 55:21 patience 208:18 patient 206:18 Patty 116:18,21 120:14,14,18 121:5 125:20 136:7 161:3 185:20 186:10 190:23 198:4 pause 80:5 190:21 208:12 paying 69:19 payment 140:15,16 PDF 48:21 124:21 125:4 126:11 penalty 8:5 pending 7:24,25 33:10 penultimate 174:13 people 11:8,9 17:16 18:24 20:13 25:13 26:24 28:11 34:24 37:8 39:25 42:15,19 43:17,18,20 51:21 52:2,7 53:12,16 54:17,22 55:2 56:13,25 57:18,23 58:20 67:24 69:11,18 74:6 75:20 83:10 88:18 92:11 93:25 95:16 96:16 100:2,20 101:14,19 103:17,25 104:3,5 106:24 107:17 108:6 110:24 111:16 112:17 113:2 114:2 115:23,25 116:3 117:11 119:23</p>
--	---	--

<p>120:4 121:14 125:18 126:18,23 127:14 129:2 130:7 131:19 134:5 135:17,18 137:4 142:6 144:23 158:2,19 161:7 167:10 189:8 199:3,8 202:8,9 203:8 percent 39:23 50:15 67:7,9,10 99:20 133:3 perform 29:13 performance 45:21 performed 26:14 28:18,20 184:7 184:13 199:13,14 207:6 performing 22:15 27:8 31:10 period 37:16,19 65:18 113:12 116:5 139:2,4 140:6 181:17 perjury 8:6 Perot 149:17,20 person 22:19 41:16 78:23 79:3 100:25 101:7 103:22 104:2 115:5 125:4,5,6,7 133:24 134:19 136:8 160:5,5 164:14 179:18 196:22,22 personal 37:9 163:22 164:4 personally 30:21 145:16 163:24 208:20 perspective 67:12 83:6 99:13,13 116:24 117:5 131:12 136:24 137:13,21 pet 140:12 philosophical 197:22,25 phone 89:19 phones 37:10 57:8 phrase 155:20 physical 6:25 23:12,15 physically 4:24 pick 121:20,20 160:8 picked 122:3 127:3 160:10 185:13 picking 121:19 picture 18:22 54:22 69:6 167:15 186:23 187:9 piece 107:19 128:13 155:25 204:6 205:23 pieces 13:11 17:23 26:25 34:16 46:2 57:11 78:22 96:24 102:4 120:22 124:12 155:4,8,10 160:11 pies 158:9,11 pivoted 134:7 Pixel 11:3 PL's 159:17 place 10:18 44:4,4 103:25 106:22 122:6,7 125:11 137:4 placed 140:8 plaintiff 1:5,16 2:4 6:9 8:8 Plaintiff's 49:8 60:3 63:17 80:12 85:22 98:8 104:17 109:24 116:12 118:2 131:24 152:4 173:7 211:8 plan 18:5 28:2,9 29:24 37:4 40:20 53:16 64:5,14 65:5 66:23,24 67:2 68:5,6,10,12,14,18 70:2 95:16,22 117:13 118:19,23 119:3,11,13,19 119:20,25 121:8 122:10,24</p>	<p>124:23 125:15 126:8,15,16 129:5 143:2 145:15,19,21,23,23 146:16 146:17,21,23 147:2,3 148:11,15 148:19 150:12,15 152:24 159:22 167:19 173:11,13 174:3,17 176:17 177:8,12,17 184:17 185:22 186:10,13 planning 38:14 113:24 137:3 plans 19:2 44:2 45:18 64:25 84:12 84:13,25 88:18 92:12,16 94:2,10 134:5 143:21 148:7 161:23 162:24,25 163:7 188:18 198:5,6 plate 106:8 platform 4:10 11:19 14:14 52:14 52:15,19 87:20 116:25 117:6,18 128:7,21 139:16 140:5 142:11 157:13 platforms 123:25 127:3 128:21 140:2 plausible 18:25 53:21 55:21 play 110:22 played 27:16 players 26:23 53:15 55:9 128:18 165:6 playing 156:23 plays 120:4 please 6:23 7:5,11,16,21,23 9:7 35:14 106:11 178:2 201:24 206:16,16 plethora 139:14 PLLC 2:4 plus 130:3 175:22 point 25:18 29:17,20,25 30:2,16,20 64:3 70:13 89:21 94:22 102:19 106:5,21 107:21 108:5 113:22 114:21 119:10 139:7 143:12 153:14 156:23 160:5 166:7 172:7 176:2 178:11 180:22 189:7,13,18 190:4 196:15 202:21 pointed 71:2 205:13 pointing 205:16 points 54:16 83:15 polite 76:19 politeness 75:16,16 pontificate 92:16 poor 204:23 popping 25:11 populated 46:13 portion 88:11 161:15,18 199:21 portions 169:2 POS 189:3,18 pose 103:16 posed 49:24 203:21 position 27:16 positioned 27:17 possible 62:13 77:2,3 possibly 196:11,12 potential 24:18 26:16 36:17 37:20 37:25 38:3,21 39:14 40:13 43:7</p>	<p>45:2,18 46:3,8 47:15,19 78:6 96:7 114:5 131:3 149:12 153:16 165:15,23 potentially 164:12 166:19 pre-Covid 137:19 prefer 60:11 preliminary 16:9 prem 58:24 preparation 21:5,10,12,15 28:18 109:4 prepare 20:15 presence 4:24 present 4:4 presentation 88:5 presentations 31:14,17 34:15 presented 5:15 24:20 28:4 136:9 presenting 36:9 184:16 press 167:12 pretty 32:12 34:4,11 55:6 56:21 90:9 95:10,11 109:19 124:14 136:9 197:23 198:25 prevalent 11:4 prevent 8:25 preview 132:17,18 previewing 133:4 previous 12:16 97:6 105:12 117:21 162:13 168:11 187:4 previously 115:7 132:12 183:10 193:20 Price 85:6 prior 192:19 priorities 113:8 private 12:3 84:14 Priyanka 101:17 107:2 probably 24:22 31:24 32:2,16 39:22 50:19 57:7 82:18 85:8 89:6 114:8 125:25 133:2 138:12 153:25 169:6,17 170:22 171:11 172:20 177:4 190:17 196:2 problem 67:25 110:15 134:6 196:8 problems 112:9 proceeding 80:5 190:21 208:12 process 6:15 11:23 39:2 41:3,4 42:16 43:5 44:7,22 53:24 62:18 62:19 83:24 95:3 96:6,11 97:8,17 100:16 105:19 106:6,7 112:12 124:6 161:21 162:5,22 179:13 189:25 190:3,9 205:15 processes 51:21 53:18 54:17 58:4,5 72:8 162:15 prod 93:19 produced 21:21 57:4 146:19 product 18:22 29:19 56:12,16,17 56:23 57:22 84:17 143:2 145:23 148:15,19 157:12,12 193:14 204:17,21 205:14 products 71:25 84:10,15,19 127:4 204:10,11,15 professional 16:11</p>
---	--	---

<p>professionals 201:20 202:13 profitability 134:24 program 9:11 10:3 programming 10:21 project 18:20 19:20 23:24 26:7,15 32:6 34:9 115:18 127:12,16 154:9 154:12,14 156:2,5 158:7,18 159:7 159:11 160:20 164:5 197:3,6,8,10 197:11 198:12 199:15 201:21 202:14 203:4 projecting 175:22 promise 76:15 proposal 177:7 proposed 191:14 proposing 144:12,13 protection 11:13 prototype 121:16 provide 99:22 100:11 114:20 116:23 provided 30:4 100:7 112:13 176:7 provider 160:9 provides 50:2 providing 47:15 193:9,17 206:20 public 1:20 3:15 5:19 25:23 45:10 67:20 199:10 210:23 212:5 published 141:7,8 144:25 162:11 publishing 143:21 pull 99:14,16 100:17,20 101:15 143:3 171:14 pulling 21:25 111:23 punch 163:17 purchase 36:17 90:14 95:24 134:17 135:2 purchased 15:3 purchases 11:7 purchasing 205:14 purpose 4:18 purposes 177:23,24 pursuant 1:17 push 185:21 pushing 143:17,18 164:21 put 22:17 92:21 106:10 112:19 117:15 122:7 124:3 131:20 137:3 176:5 191:12 193:22,24 194:2 204:11 putting 12:5 21:23 41:10 107:15 114:6 120:10 164:16 186:10 199:5 201:17</p>	<p>173:21,22 178:2 181:9 185:5,8 187:4 201:3 203:20 204:2 205:10 206:23 questioning 56:6 questions 6:19,24 8:23 49:24 50:7 50:9,13,17,25 51:5 55:18 58:15 61:18,23 68:11,17,20,21,22 69:25 76:8,23 79:15 82:3 125:8 127:18 150:19,25 169:18 170:13,17,24 171:16,20 189:21 206:21 208:14 208:16 quick 13:10 32:12 57:5 87:4 88:14 140:24 quicker 124:17 quickly 18:2 31:25 32:13 56:22 58:21 103:14 113:17 191:19 quite 30:24 87:10 96:4 111:6 119:20 157:21 159:18</p>	<p>191:10 194:5 200:20 201:9 202:22,25 203:2 recap 134:10 138:9 receipts 174:9 received 193:21 recess 151:21 recliners 84:22 recognize 60:18 63:23 80:16 86:4 98:15 104:22 116:19 118:9 132:7 138:4 173:5 recollect 133:3 recollection 64:12 92:23 170:16 171:6 190:14 recommend 116:22 recommendation 131:20 recommendations 174:11 recommended 36:25 126:18 reconciling 51:8 record 4:22 5:22,25 7:2 138:3 204:5 210:12,13 212:11 recorded 4:13 6:17 recording 4:14 140:16 records 112:17 recreate 188:6 red 140:20 141:6,11 redo 96:3 reduce 182:7,13 reduced 195:14 reference 30:14 105:5 referencing 167:22 referred 30:8 115:5 162:3 referring 30:13 66:23 77:9 85:11 91:9,15 93:3 102:13,16 103:5 105:23 113:13 120:16 170:24 173:24 174:15 175:14 186:3 191:22 192:3,5 193:13 refers 168:14 reflected 195:10 reflection 15:5 50:3 refresh 64:11 170:16,19 171:5 190:14 refused 114:4 regard 18:19 56:12,24 57:23 90:7 115:6 129:4 153:15 154:8,21 155:25 160:22 176:3 183:15,25 184:13 199:21,23 207:21 regular 108:12 reimagine 137:14 related 16:21 88:23 89:2 157:11 212:14 relation 26:15 94:25 96:6 159:7,11 160:20 199:13 relationship 85:6 129:18 relationships 83:11 117:10 relativity 103:14 relevance 76:13 relevant 27:23 32:18 52:12 74:19 74:21 75:4 79:6 196:18 relied 206:24</p>
Q		
<p>quality 199:25 question 3:11 7:6,10,13,17,19,24 7:25 16:14 33:13 35:12 40:10,12 51:7,10 53:11 55:7 57:13,14 58:4 58:19 59:2,4,10 60:18 68:14 69:24 70:4,18,19 71:13 73:16 74:24 79:18 80:22 81:6,15 87:19 89:7 97:10,11 119:7 125:13 150:23 151:7 154:15 164:6 172:7</p>	<p>R R 2:2 5:17 212:2 raised 89:6 185:4 ran 94:21 Rappaport 2:4 6:8 raw 47:2,5,7,8,10,11,17 107:12 reach 185:14 reached 159:15 read 46:18,21,23 49:3,11,14 204:5 210:9 readiness 29:12 121:15 reading 8:25 29:6 32:12 49:6 76:16 91:21 147:15 reads 58:19 82:17 161:18 ready 57:11 121:17 real 33:24 65:4 90:19 93:11 98:18 140:23 171:12 180:18 reality 66:7 realize 59:9 167:2 really 18:14 31:25 32:13,14 64:22 79:13 92:10,12,14 94:4 137:18 141:20 156:18 164:3 182:25 191:6 208:14,18 reason 14:8 40:20 55:15 67:17 79:17 83:25 96:13 181:8 193:25 202:17 207:17 reasons 84:3 163:19 rebuild 134:7 rebuilt 134:8 recalibrate 96:24 recall 29:21 31:22 32:9,24 33:2 34:22 35:7 37:18 39:16 40:6 47:21 48:2 55:5 56:17 58:5,8,9,10 58:12 63:5 65:14 66:18,19 68:9 68:13,21,24 71:10,12 72:18,20,22 73:18 74:9,14 79:8,15,17 82:18 86:17 107:5 113:9 134:14 145:21 146:4,18 147:8 165:17,25 166:5 168:16 169:2,5,15 172:21 179:6 181:21 183:12 186:11,12 191:3</p>	

<p>relying 203:12</p> <p>remember 16:7 20:23 50:16 56:15 58:6 62:6 63:7,8 64:17 74:13 79:19 82:19 87:24 88:9 99:23 114:10 119:19 122:22 123:2 125:2 135:20 136:13 139:6 150:14 152:20 171:20,21 177:3 178:21 186:16 190:6,12 195:19</p> <p>remind 20:20 195:18,19</p> <p>remote 4:8</p> <p>remotely 4:6 5:19</p> <p>repeat 7:12 35:13 124:8 204:2</p> <p>repeated 7:11</p> <p>repetitive 192:12</p> <p>rephrase 7:13 71:6 149:16</p> <p>replace 72:14</p> <p>reporter 1:19 4:2,7,22 5:9,21 6:18 6:25 7:12</p> <p>reporting 4:11</p> <p>reports 161:4</p> <p>represent 5:10 6:8 48:7,12 85:17 91:13 105:14 116:16 168:10 173:2</p> <p>request 6:23 106:11</p> <p>requested 49:17 148:6 204:5</p> <p>requests 104:8 109:9 110:10 114:16</p> <p>REQUESTS/PRODUCTION 211:22</p> <p>research 129:6,7</p> <p>reserved 3:11</p> <p>resource 105:2</p> <p>resources 98:21 99:14 134:11 207:22</p> <p>respectfully 69:24 127:17 150:17 203:19</p> <p>respective 3:6</p> <p>responding 137:24</p> <p>responds 51:18 166:23 180:2</p> <p>response 7:2 51:12,17 58:8 76:18 106:13 165:19 166:13 180:3</p> <p>responses 6:20,21 50:2,21,25 51:6 75:10,11,14 170:25</p> <p>responsibilities 18:11,19 19:15 20:3 160:14 183:11</p> <p>responsibility 94:4 99:16</p> <p>responsible 19:17,22 58:24 155:19 155:20,24 156:4,12,15 157:19,20 158:6,7,23 159:2,3,5,9 160:19,21</p> <p>restart 135:3 139:22</p> <p>retail 1:3 6:9,10 12:7 23:11,12,15 102:25 103:8 123:20,22 124:9 137:18 164:21 165:4,7 166:10</p> <p>retailer 205:4</p> <p>reveal 180:2</p> <p>revenue 82:13 84:7</p> <p>review 132:24 142:25 145:18 146:15,18 169:7</p> <p>reviewed 29:23 30:7,19,22,24</p>	<p>50:24 153:18,20 168:20,23 169:3 169:5</p> <p>reviewing 143:3 145:22</p> <p>revised 116:23</p> <p>right 8:6 11:18,25 14:8,21 17:7 18:17 20:14 25:20 26:25 32:6 36:7 37:21 41:20 46:9 52:25 53:22 54:19 55:4 56:7,20 61:4 63:9 70:18,19 73:12 76:7 77:10 77:16 80:24 84:4 86:8,12,15,17 89:11 92:3 98:3,4 99:14 100:3 101:9 103:7,15,17,24 108:2 112:2 113:5 115:8,11,12,16 116:3,7,8 119:21 123:23 129:5 132:6 134:14 136:16 144:7 146:3,7,24 147:2 158:25 161:7,22 164:10 165:12 166:8,11,22 169:4 174:5 176:14 179:16,20 181:17 188:24 193:23 195:17 199:4 203:10,10</p> <p>rights 102:6</p> <p>risk 67:13 102:23</p> <p>risks 64:5 66:16 143:4 150:12</p> <p>road 132:3 146:9</p> <p>Rockville 2:5</p> <p>ROI 174:6</p> <p>role 21:20 81:19,25 157:7</p> <p>roles 123:13 157:2</p> <p>roll 156:24</p> <p>rolling 140:4</p> <p>room 30:3,8,10,14,17 31:3,6,20 32:9,22 34:13,25 35:3 45:14 46:13,18,22,24 47:2,7 50:11 56:18 70:14 71:6,9 89:5 91:5,8 112:12,20 114:6 138:22,23 141:9 142:13 148:8 153:19 168:2 172:8 172:11,14,19 193:23 194:3,23 196:10 206:3,5 207:4,7,21</p> <p>Roseland 2:10</p> <p>ROWE 2:9</p> <p>ruckus 38:10</p> <p>rules 6:15</p> <p>run 19:10 20:11,12 56:22 65:19 73:3 78:7 82:5,7,22 86:24 94:9 121:25 122:18 123:23,23</p> <p>rundown 27:5 190:24</p> <p>running 12:11 23:11,15 33:25 55:19 65:15 66:7,11 67:14,21 69:23 70:19 118:12 124:19 128:9 137:16 164:12 185:10 204:17</p>	<p>saw 24:14 29:19 32:22 56:18 68:3 112:14 132:18 133:20 161:23 194:8 205:21</p> <p>saying 29:14 38:24 41:4 52:7,16 61:8 64:21 67:6 75:3,17,20 76:2 95:19 97:19 133:6 138:10 141:8 144:9 171:22 186:5 200:21</p> <p>says 40:23 58:16 67:9 86:12 123:4 140:21 152:14 156:21 182:6 192:9 193:17</p> <p>sberlowitz@frblaw.com 2:7</p> <p>scale 128:12 139:23</p> <p>scenarios 45:2 141:21</p> <p>school 9:17,22</p> <p>sciences 9:10</p> <p>scope 20:3 123:11 154:7</p> <p>scoping 157:15</p> <p>scratch 96:4</p> <p>screen 8:22 9:2</p> <p>scroll 49:5 60:17 174:7 190:16</p> <p>scrolled 49:16</p> <p>seal 94:2</p> <p>sealing 3:7</p> <p>second 37:16 51:18 63:25 66:19 76:25 102:10,22 107:20,21 110:7 113:18 114:24 126:6 138:22 140:20 149:4 174:6 204:19</p> <p>secret 83:4 205:3</p> <p>sections 33:3</p> <p>sectors 12:7</p> <p>see 8:21 11:16 26:2 29:10 31:5 37:2 38:7 40:6 50:22 51:10,23 58:16 59:2,14 60:24 64:9 69:16 74:15 75:11 77:5,12 80:18,20,24 82:14 84:21 86:19 87:6 98:22 100:11 101:4,13 103:2 105:3,20 106:19 109:3 110:11 115:3 117:3 118:13 118:20 120:13 125:5 131:4 142:16,21,23 143:7 144:6 155:13 155:15 161:15,24 163:6 165:9,19 167:20,20 170:13 171:10 174:8 174:24 175:11,24 177:8,12 180:6 181:24 182:8 185:24 186:24 187:14 190:17,25 192:19 193:10 194:20 196:21,23 207:8</p> <p>seeing 32:10 74:18,22 122:5 146:4 162:24</p> <p>seek 165:18</p> <p>seeking 36:20 165:4</p> <p>seen 59:18 67:8 128:15 173:16</p> <p>segment 23:4</p> <p>sell 23:8,9 133:17</p> <p>seller 201:16</p> <p>sellers 36:22</p> <p>selling 67:5 112:14 201:16</p> <p>send 85:19 108:25 110:9 170:13 171:9,13</p> <p>sending 87:25 93:21 104:12</p> <p>sense 14:19 26:23 28:23 33:16</p>
S		
<p>S 2:2 211:7</p> <p>S-E-S-S-I-O-N 151:22</p> <p>sales 27:10 35:17 83:14 174:9 189:13,18</p> <p>Salesforce 33:22 128:19 144:2</p> <p>sand 120:5,25</p> <p>sauce 205:3</p> <p>saucers 83:4</p>		

<p>42:10,12 55:19,20 63:6 66:8 78:25 80:23 100:17 113:21,25 140:4 145:6 147:3,20 182:21 188:17 sent 15:23 48:24 49:20 55:13 60:13 86:2 98:12 107:11 109:12 118:6 122:5 124:20,22 125:21 170:6,22 172:4 195:2 sentence 51:18,23 76:4 77:6 80:18 82:12,14 98:17,25 102:11,16,23 103:6 105:18,21,24 106:19 110:8 110:11 117:3 118:11,20 126:6 147:11,12,13 161:25 162:22 164:22 165:9 167:4,20 168:13,15 168:20,22 175:12,15,24 182:9 185:18 186:24 193:13,18 sentences 60:25 separate 4:8 160:3 separated 144:10 separately 120:9 September 14:18 140:9 series 64:22 65:6,8,12 66:8 117:20 serious 188:16 services 19:6 session 69:9 set 14:11,20 61:16 72:8 139:25 186:22 212:8,19 sets 112:21 setting 101:15 103:11 seven 95:6 share 25:5 45:6 48:19 54:8 55:11 71:4 87:21 96:16 119:18 151:25 158:2 161:2 174:20 187:24 190:18 192:9,11 195:22 shared 20:20 21:2 24:13 29:11 30:5 32:2 50:12 79:10 117:16 119:14 136:7,13 138:21,23 142:12 147:22,23 148:7 192:10 194:17 shares 87:8 sharing 8:22 21:23 42:23 44:2 47:20 48:20 54:23 57:6 59:16,24 61:13,14 62:8,16 81:3 85:15 87:17 98:10 114:5 116:14 132:2 152:9 172:24 174:24 188:2 shed 190:18 sheet 96:2 shelf 204:22 shelves 204:12 shifting 95:17 ship 204:10 shipping 140:17 shocked 189:14 Shopify 117:20 121:14,17 127:4 128:5,6,12 short 97:18 103:2 129:13 208:23 shot 185:21 186:6,7,12 show 125:14 133:20 170:2 174:4 showed 75:6 132:12 133:5 173:23 showing 32:19 63:19 73:13 80:6</p>	<p>110:2 shown 132:17 168:11 shrug 6:21 shut 111:2 139:4,8 142:2 shutdown 113:8 side 31:18 82:25 87:11,14 100:20 111:21 162:17 163:13 196:5,6,19 196:23 204:19 signed 3:14,16 15:23 121:18 210:20 significant 35:20 198:25 significantly 205:6 signing 198:6 similar 91:6 147:21 161:20 162:4 162:14,21,23 163:15 similarities 163:18 single 33:3 46:23 160:13 sir 5:22 147:25 site 130:9 sitting 180:15 six 63:22 65:19 141:24 size 99:10 skeleton 111:3 skim 33:7 skimmed 92:2 slide 119:15 138:5,8 142:20 146:13 slides 174:10 slim 83:8 small 126:17,24 155:2 156:10 157:25 161:24 smaller 80:25 162:15 163:11 SME 58:23 59:5 SMITH 2:9 smoothly 93:24 social 101:23 software 10:11,20 11:12,16,23 16:23 31:11 sold 28:4 188:14 solve 134:5 somebody 121:25 sorry 74:25 81:5 99:23 177:20 sort 10:24 11:3,9,22 12:5,21,23 14:15,16 17:18 18:5,13,24 19:12 20:20 24:14 25:12 26:24 28:9 42:24 46:2 55:18 57:5 59:14,16 62:15 64:23 69:7 78:25 82:24 83:13 88:2 92:11 93:7 100:3 105:10 108:4 120:6,21 139:13 140:14 144:7 155:13 156:18,24 178:23 191:12,21 sorts 92:12 102:4 123:13 134:4 137:3 source 84:7,14,15 sourced 84:11 south 111:19 SOUTHERN 1:2 space 11:21 23:4 129:23 130:25 speak 21:4,9 30:23 37:25 41:22 42:3 63:2 64:12 66:15 68:4 70:22 130:13 190:23 192:24 203:7</p>	<p>speaking 39:13 41:19 54:25 62:6 121:11 129:8 147:23 160:13 163:19 specialized 100:19 127:2 specific 16:21 30:22 31:21 40:10,19 55:2 68:6,14 69:13 78:17 79:5 84:25 111:6 112:16 114:16 120:19 127:12,14 150:25 153:25 157:7,18 161:7 168:16 178:21 196:15 201:3,9 specifically 18:7 20:17 40:16 63:8 70:16 72:19,22 73:19,20 75:22 84:21 114:3 153:15 158:5 178:20 179:8 speculate 41:16 63:12 speculating 39:19 40:24 speed 38:19 108:9 spelling 191:22 spend 33:6 45:22,25 94:17 111:23 139:5,22 141:2 163:6 188:17 spending 42:18 43:21 52:16 71:17 135:6 163:8,10 187:21 188:11 198:4 spent 34:14 44:10,12,17,18 45:5,8 55:17 62:19 141:2 144:25 159:18 188:12 spin 29:14 spinoff 11:12 splits 28:10 spoke 21:6 24:25 44:5 110:13 129:2 145:5 146:22 148:9,13,17,23 149:10 150:3 169:15 189:4,8,9 200:17 spoken 35:22 44:15 176:22,25 ss 210:5 stabilization 51:23 52:3 53:13,19 54:11 66:6 stabilize 52:10 145:24 stack 71:20 72:3,7,15,17,21 73:4,17 74:16 90:7,10 117:18 121:24 127:5 130:5 134:8 143:4,13,22 148:25 staff 110:24 111:3 117:14 121:21 stages 34:6 stamp 170:11 stamped 60:15 85:19 stand 19:11 51:13 59:5 standard 45:17 137:16 Staples 128:9 start 13:13 40:24 58:22 72:5 75:24 81:23 107:15 132:4 134:12 137:3 started 12:13,25 25:19 26:6,13 32:5 43:13 54:20 55:5,11 57:5 64:24 134:4 137:14 156:23 157:5 162:8 169:13 185:14 starting 139:23 182:24 startup 11:5 12:10 state 1:20 5:4,16,19 210:5,23 212:5 statement 174:14 175:8 182:11</p>
---	---	--

183:17 190:7 statements 47:10 STATES 1:2 stay 14:16 155:6 stenographically 6:17 Stenotype 1:19 step 108:18 143:11 164:19 steps 142:24 143:9 Steve 6:7 21:23 22:3,5 60:10 81:22 102:2 106:2,23 107:21 133:2,5 202:19 Steve's 22:4 Steven 2:6 6:5 21:24 101:13,14 138:12 151:24 171:17 Stevens 25:2 41:20 47:23 51:13 60:14 61:4 63:20 145:5,10,12 175:15 179:20 stipulate 4:21 stipulated 3:4,9,13 4:3,12 5:5 stipulations 3:2 109:7,17 stock 202:3 stopped 130:12 store 45:18,22 87:21 102:3 122:2 136:4,5,10,10,12 155:14 161:24 162:15 163:11 174:11 185:22 189:17 stored 71:8 136:14 stores 11:7 23:11,12,15 45:20,21 87:9 134:16,24 135:5,7,11 136:22 137:15,22 139:8 142:2 189:3,12 straight 10:2 straight-up 72:13 streamline 6:15 73:9 Street 36:24 192:18 199:5 stressful 200:16 Stretch 80:2 strictly 160:12 strong 153:22 structure 20:10 116:24 structured 99:7 stuff 10:22 16:10 17:19 53:10 61:21 66:6 88:20 108:12 122:20 126:21 179:4 200:13 202:21 subject 16:25 59:6,8,11,18 86:12 submission 109:5,6 192:19 submit 28:20 submitting 28:19 subscribed 210:20 success 106:18 107:8 successful 64:8 66:3 sucked 12:25 suddenly 83:16 suggesting 153:3 suite 2:5 12:6 71:24 summarize 120:6 summarizing 107:23 summary 13:10 57:5 120:11,21 122:6 133:7 167:19 168:9,23 Sunrise 2:5	super 178:24 superior 128:22 supplier 81:9,11 82:13,20 83:2 84:7 159:17 suppliers 204:7 supply 83:6 159:10 185:8,9 196:23 203:14,16,23 support 19:4 64:6 72:25 111:4 206:13 supposed 160:8 sure 22:19 50:15 76:7 90:3 91:22 95:21 96:24 99:12,20 102:3,8 107:16 108:18,19,20 109:2 111:14 119:5 130:4 133:3 137:9 140:13 150:21 152:22 159:21 165:21 171:24 172:4 173:4 176:10 187:25 197:19 198:5 200:9 208:4 surprised 179:5 suspect 188:25 200:13 swear 4:20,23 sworn 3:16 5:19 212:8 system 33:14 45:18 52:22 64:23 65:12,21,23,23 67:21 77:18,25 124:3 149:7 systems 10:19,22 19:12 31:10 33:16,17,25 34:2,4,6 51:19 52:20 52:21 58:23,24 65:3,11,15 66:10 67:14 69:23 93:22 99:9 100:15,23 101:15 102:7,9 110:21 121:19 124:3,18 130:3 149:5 153:24 189:13,18 200:4	188:10 196:17 198:18 208:5 talking 25:25 36:7 39:5,24 50:16 52:11 56:5 58:6 62:23 64:18,19 65:16 66:5 67:15,18 69:17,18 71:2 72:23 74:5,6,10 88:17 89:7 92:22 95:15 97:14 102:14 105:11 113:23 117:9,10,22 119:22,24 120:12,19 125:17 130:12 143:13 143:24 144:3,15,16 145:11 149:3 155:7,8 160:5,10,24,25 162:10 163:25 169:13 179:3 183:3 185:10 186:14 189:10,11 195:20 195:21 196:14 tasked 158:18 160:15,16 tasks 22:16 team 14:12 27:25 29:12 42:12 44:11,13,14 45:5,6,9 53:3,4 56:9 58:19,21 77:4,8 79:11 98:22 101:16 107:20 110:8,15 112:10 112:11 115:2 116:22,24 117:21 123:15 126:17,19,24 131:13,15 131:16 133:6,13,14 136:25 139:13,20 140:25 141:15 144:4,9 155:2 157:25 160:25 162:11 163:3 175:11 176:14,23 182:24 183:4 184:16 185:20 186:2,3,10 187:17,21 188:7,10 190:24 191:11,12,14,19,25 192:4 194:15 194:15 195:9,13,17 196:4 198:18 198:18 201:16 202:8 203:12 teams 18:24 20:9,13 25:4 28:12 29:10 31:12 44:25 87:12 105:19 105:20,23 106:2,4,5 107:4 161:5 200:3 201:19 202:13 tear 113:24 tech 58:19 71:20 72:7,15,17,21 73:4,17 74:15 90:7,10 116:22 117:17 121:24 124:21 125:23 126:11 127:5 131:12 132:10 141:23 142:25 143:3,13 145:18 145:20,22 146:15,17,21,23 147:2 147:3 148:11,25 167:19 170:13 173:11,13 174:3,17 175:9 183:3 185:20 186:2,3,10 190:24 202:3 technical 42:11 115:22 123:17 technologies 71:25 technology 9:10 18:22 19:24 20:2,9 45:23,23 69:21 71:25 77:4,8 118:19,23 119:3,11 121:7 122:9 122:14,24 123:24,25 124:10,12 124:22 125:14 126:8,9,19 128:14 129:4 132:3 140:2,5 141:12 146:9 154:10,11,13,23 155:16,18,25 156:7 157:11 158:12,14 160:2,16 160:23 167:12 183:11 199:21 tell 10:16 18:18 21:8,8 43:10 74:7 91:12 125:16 138:7 178:14 184:11 195:21 201:23 telling 54:5 56:9 61:24 77:20
--	--	---

T

T 5:17,17 210:2 211:7 212:2,2
tab 174:6,6,6,8,9,10,10,11
tables 98:20 99:10,11 100:25
102:13 115:7
tabs 174:4
tailored 134:9
take 6:19,20 7:23 8:2 13:6 21:14
46:4 79:23,25 83:14 90:5 100:18
109:9,13 114:12,22 120:3 122:15
124:6,15 137:2 139:9 141:14
151:15 167:2 189:24 196:20
208:8,20,22
takeaway 92:7
taken 1:16 139:10 210:10
takes 33:15
talk 33:21 34:15 41:16 54:20 63:9
66:9 67:6 69:17 94:10 118:19
119:3 125:6 126:7,14 131:4,5
141:18,19 144:22 159:14 161:4
164:2,13,17,19 200:5
talked 26:22 40:3 42:9,10,16 43:16
50:9,18 62:9 78:22 92:7 120:8
121:23 125:20 128:8,11 141:6,14
143:25 144:2,14 149:3,24 157:25
161:8 163:3 183:10 187:19

131:14 149:9 203:24 template 109:11,15 176:8 temporal 197:17,20 198:2 ten 45:20 66:2 81:14 124:3 141:24 tend 104:10 tendency 110:9 tens 32:11,17 130:6,7 term 41:18 terms 15:23 17:19,24,24 19:2 21:25 22:16 27:3 29:9 36:2 43:25 46:10 53:22 56:18 73:23 84:16 89:18 90:12 93:15 95:18 96:18 102:3 109:9 114:14 122:16 125:24 146:20 157:11 159:16 186:13,13 187:23 205:3 terrible 137:4 terribly 123:20 testified 5:20 8:14 179:15 193:20 testify 8:19 testifying 8:5 testimony 158:8 210:10,13 212:11 Texas 6:3 text 152:18 153:6,6 167:22 174:18 174:25 texting 119:23 152:8 153:8 texts 161:10 thank 58:2,14 60:22 75:9,10,24,25 76:2 166:15 196:6 203:3 207:5 208:14,17,17 thanking 50:21 thereabouts 51:2 131:9 thesis 93:24 142:5,9 207:10 thing 25:11 39:22 52:23 73:21 88:10 107:18 113:22 127:15 129:25 130:22 180:16 199:4,16 199:19 204:19 things 17:23 22:21 29:3 33:15 39:3 53:22,23 67:8,16 69:19 79:9 82:20 83:5 94:18 96:16,23 108:15 110:22 113:6 120:8,13,21 121:22 122:4,4,21 123:15 124:2,11 125:5 130:2 136:11 137:4 141:17 157:3 157:6 167:9 184:19,22 198:19 199:9 203:15 204:18 think 16:6 20:25 26:9 28:5 34:12 35:12 38:11 40:3 43:13 46:21 50:8,14 53:20 55:9 56:19 58:21 59:13 61:12 62:8 66:13,17 67:17 68:19 69:5 70:24 74:9,23 75:18 80:23 82:2 85:7 86:23 89:6,10,15 91:4 97:25 98:14 99:19 100:14 106:23 107:22 108:5,12 112:25 114:3 115:24 116:14 117:16 120:15 122:25 126:23 129:14 130:17 133:10 134:20 136:7 139:5 141:5 143:2 144:10 145:8 145:20 147:7 150:15 151:8,10 153:19 156:17 157:9 161:3 162:17 164:23 166:21 167:6,25	168:3 169:12,16 172:15 173:12 174:15 176:5,7 178:3 182:24 183:7 185:13,16,16,22 186:9,17 188:3 190:2 191:10 193:6,15 198:15 205:2 207:18 208:7 thinking 27:22 33:12 39:2 55:8,10 61:25 69:13 73:20 93:8 117:22 119:21 126:3 129:19,24 130:21 130:24 131:2 134:23 142:6,7 146:20 149:6 156:19 157:17 165:17 179:12 180:6,9,19 181:7,9 182:23 183:8 third 102:23 174:8,8 THOMAS 2:11 thorough 104:7 Thoryn 24:25 38:18 39:6 41:19,25 43:10,21 44:6 47:23 48:4 51:13 52:15 54:3 56:3 60:14,21 61:3 63:4,20 64:3,13 66:5,15 68:4,11 68:17 69:5,25 70:9,22 71:4,7 72:16 77:9 78:11 131:18 145:5,10 145:11 149:6,23 150:4,7,8,11 163:20,21 164:19 170:9 175:15 176:18 179:19 189:10 191:5,14 194:13 Thoryn's 74:15 91:5 176:13 thought 27:7 75:22 79:12 81:2 135:10 145:2,13 161:20 162:4,14 162:18,22 166:3 188:13 189:16 204:13 thoughts 169:17 three 10:10 55:24 57:7 63:13 65:19 65:25 66:12 71:14 104:21 135:13 138:3,25 139:18 140:21 141:10 141:23 159:17 186:19 Thursday 129:14 tier 113:18 tier-2 117:13 tight 200:14 time 1:18 3:11 5:2 10:23 14:7,17 17:21 18:13 26:15 29:17 31:20 33:7 34:14 37:19 38:18 42:18 43:21,24 44:10,12,17,18,25 45:2 45:4,8 48:17 49:7,15 53:20 55:16 55:24 57:12 60:2,5,22,23 62:19 62:24 63:5,14,16 65:16 71:17 72:24 76:11 80:4,11,14 85:21,24 87:2,16 88:12,22 89:3,12,14,20 89:21 90:19,19 93:15 94:23,24 95:4 97:18,23 98:5,7 99:18 101:11 104:14,16 107:10 108:14 108:19,24 109:21,23 111:2 113:12,21,25 114:12 115:23 116:9,11 117:8,23,25 119:10 121:2,16 125:15 131:21,23 135:6 137:5 138:19 139:4,9 141:7 143:12 144:25 151:20 152:3,6 159:18 165:14,18 166:22 170:11 171:12 172:7 173:6,9 174:22	176:5,17 180:18,22 181:2,17 183:5,7 185:13,20 186:18 187:22 188:11,12,17 190:20 192:22 196:15 197:18 198:3,5 204:4 208:11,15 209:2 timeline 97:2 108:4 114:10 169:19 170:17,19 200:14,15 times 57:7 67:9 107:12 128:15 timing 164:10 tiny 88:11 title 17:9,13 titled 142:20 tmurphy@greenbaumlaw.com 2:12 to-date 199:13,14 today 5:12 8:19 21:13,18 60:22 67:14 94:9 today's 94:6 told 21:9 29:3 38:5 184:8 204:18 207:16 Tom 21:6,8,9,24 169:20 tomorrow 60:23 175:9 tons 180:12,13 tools 72:8 87:18 top 48:23 50:20 64:2 86:11 92:6,19 112:14 142:21 152:14 167:17 179:23 topic 90:5,5 topics 79:5 tossed 136:13 totally 94:18,20 touch 160:22 tracking 11:2,4,7 155:17 190:8 trademarks 165:6 transcript 210:9,11 212:10 transfer 19:13 102:5,25 103:9,13 106:18 107:8,12 transferred 22:20 101:24,25 transition 16:2 19:6 28:2 51:22 52:2,5,8,9 53:13,19 54:11 58:22 64:5,14 65:5,18 66:6,22,24 67:2 67:22,25 68:5,6,10,12,14,18 70:2 72:4,13 73:2,2 99:4 145:25 163:17 191:14 transitions 20:12 treated 128:6 tremendous 204:13 trial 3:12 tribunal 17:2 trick 76:15 trickier 123:22 tried 68:9 193:7 Trilogy 10:11,21 tripped 93:25 trouble 112:23,25 true 51:14,15 118:25 210:12,14 212:11 truthfully 8:19 try 58:18 78:24 93:11 161:10 188:6
---	--	--

<p>194:22 trying 18:21 32:4 38:14 53:5 63:7 65:25 66:2,9 69:3 70:13 74:11 76:12,14,15 80:23 82:17 93:11 98:20 113:25 114:10 121:15 122:15 130:23 133:2 134:5 135:7 139:6 149:17 154:15,18 157:22 183:4 186:17 190:6,11 194:8 197:12 206:18 208:25 TS 51:12 TSA 19:6 64:15 68:7 72:24 73:2,11 73:14,16 90:15,16,17 92:9 93:12 95:20 96:19,19 114:3 123:16 138:11,11,13,16,25 140:22 141:10 175:18 176:4,6,9 Tulika 101:17 turned 34:2 Twitter 101:23 two 26:10 48:24 54:16 55:24 56:20 57:7 60:24 74:12 79:23 80:8 98:13 108:5 110:22 112:21 123:13,13 135:12 151:19 165:6 186:17 194:19 type 113:9 120:25 153:9 183:8 types 16:18 74:4 typo 191:22</p> <hr/> <p style="text-align: center;">U</p> <p>uh-hum 6:22 ultimately 13:3 136:5 Um 90:9 unauthorized 4:17 underestimated 100:14 underestimating 104:9 undergraduate 9:18 16:16 underground 204:16 underneath 101:20,21 understand 7:2,8,14,14,17,18,19 8:2,4 13:4,7,8 16:14 18:3 19:5 25:2 33:9 57:17 73:8,15 75:5 76:13 77:19 81:13 85:10 108:7 119:5 122:14 125:13 143:2 147:13 150:22 154:6 158:3,21 167:14,15 169:25 178:7,7,8 189:22 understanding 27:6 32:13 64:4,13 66:16,22 78:19,20 108:22 146:25 147:14,18 148:4,10,14,18,20,24 149:11,15 150:11 157:21 165:15 167:4 180:23 181:3 183:24 184:15 195:11 202:3 204:8 207:2 understood 22:12 35:25 133:15 146:20 190:2 Unfortunately 169:23 unique 143:15 144:5,7 United 1:2 11:18 universal 154:4 universe 27:20 70:20 unlocking 205:4</p>	<p>update 155:14 updated 161:23 198:6 updates 180:17 updating 163:7 uploaded 45:13 195:14 urgency 108:8 use 11:2 47:16 53:6,9 87:10,12 117:17 128:19,19 139:14 155:19 189:13 190:13 useful 108:23 136:3,18,19 137:8 141:18 usually 10:6 utilizing 65:12</p> <hr/> <p style="text-align: center;">V</p> <p>vacation 74:12 89:11 113:5 validate 191:19 valuation 67:19 value 36:2 81:4,5 various 34:6 venders 163:5 vendor 157:10 185:11,13 205:18 vendors 33:11 44:15,16,19 46:2 56:5,6 117:9,21 125:17 126:21 134:13 139:15 141:22 143:25 144:16 163:4 venting 69:9 venture 36:17 verbal 15:21 verbally 6:24 verification 206:6 verify 100:21 107:10 111:12 version 9:16 86:19 173:3,4 176:6 versions 11:25 versus 6:10 51:8 80:20 124:4 vet 130:4 viable 93:13 video 4:6,13 videotaped 6:18 view 44:2 72:7,16 83:13 87:2 93:23 117:16 120:22 126:4 179:6 viewed 81:18,25 views 88:3 Vincent 100:9 violation 4:17 vis-a-vis 164:5 vision 30:6 116:25 117:6 volume 195:7</p> <hr/> <p style="text-align: center;">W</p> <p>W 210:2 wait 7:5 149:4 waiting 103:20 waived 3:8 walk 36:10 140:23 Walmart 23:9 35:18 want 10:13 15:2 16:9,10 21:7 28:10 28:16,17,21 29:5 39:8,12 45:15 47:14,14,25 48:9 49:5,11 50:6</p>	<p>51:4 52:4 56:3 57:14 58:14 63:2 63:12 67:3,19 70:2,4 72:4 73:9,11 76:7,19 77:14,19 78:8 79:3,4 82:4 95:19 109:9 110:16,18 111:5 112:22 119:5 135:16 138:16 139:19 149:2 150:19,21,24 153:7 154:6,20,24 156:21 157:23 158:6 161:11 162:21 164:13,24 166:4 167:3,7,13,15 168:6 171:24 172:4 175:7 176:16 183:23 184:6,22 185:23 187:10 189:22 192:13 194:10 203:20 205:9 wanted 30:6 31:14 40:22 63:9 64:12 67:18 78:2 81:13 82:6 84:14 99:12 101:3 103:18 109:3 109:17,20 135:14 137:14 140:13 153:4 159:21 187:25 194:24 195:6 197:19 wanting 27:11 wants 166:24 warehouse 77:21,22 107:19 140:18 warehouses 23:8 52:17 wasn't 14:2 15:22 17:11,13 27:20 29:3,18 68:24 88:10 93:8 117:22 130:16,16,24,25 133:13 144:5,7 144:19 149:6 157:18,18 163:21 163:24 164:18 178:24 179:5,12 183:2 195:6 196:18 way 13:6 28:2 36:5,8 49:12 75:24 94:9 122:19 123:22 124:13 125:16,19 128:14 136:25 142:8 151:6 157:7 167:18 196:21 197:20 212:16 ways 44:9,21 46:3 62:13 WC&F 174:8 we'll 17:18 41:6 80:3 81:14 119:16 145:25 151:18 we're 28:13 36:10 61:25 95:17 96:20,21 120:19 122:16,20 125:19 133:9,9,18 134:12 146:6 189:12 196:19 208:24 we've 30:12 79:20 118:12 wean 58:22 wearing 8:21 web 1:17 4:9 5:12 11:2 website 188:23 week 26:10 37:15,16,17,19 74:12 88:7 95:7 111:24 115:22 125:25 weekends 95:4 weekly 174:12 weeks 26:10 43:13 55:24 114:9 115:3 119:21 182:8,13 186:19 199:17 weird 82:17 went 10:4 15:4,16 31:19 32:8 34:25 95:10 107:6 111:5 113:4,17 128:8 140:8 141:13 176:12 204:16 weren't 179:15 WhatsApp 39:22 152:8,23 173:25</p>
---	---	---

174:18,25 211:20 WHEREOF 212:18 white 124:24 whittle 54:15 wholesaler 23:2 wholesalers 83:10 wholly 54:4 win 83:20 window 129:13 winning 186:8 Winterbery 6:2 withdraw 181:11 200:22 201:2 withdrawn 187:8 witness 1:15 4:7,20,23,25 5:11,15 5:18,23 6:2 8:15 48:22 76:24 79:23 169:20 171:17,22 177:20 208:17,24 209:3 211:4 212:7,12 212:18 won 81:19 82:8 112:5,8,24 113:13 113:15 116:6 117:8 wonder 16:18 wondering 181:10 word 155:19 words 41:10 75:25 200:8 work 12:8,14 13:18 14:10 15:4,17 16:21,22 26:14 28:12,18,22 29:18 42:7,8 52:7,9,21 53:5 56:12,16,17 56:23 57:22 59:22,22 69:13 78:21 88:11,21,24,25 93:12 94:3,24,24 97:6,7 100:14 104:10 108:14,20 110:17,17,18 111:20 119:22 125:21 126:5 127:14 153:14 154:7 157:14 158:2,4,5,7 159:11 159:23,25 160:2,14 166:25 176:3 183:24 184:6,12,14,25 192:10,17 193:14 196:24 198:10 199:12,14 199:25 200:7 201:8,20 202:14 203:13 worked 10:9,10,17 11:11,14,22 12:2,13,14,18 13:25 23:20,25 38:18 46:3 100:2,25 114:25 139:15 155:22 204:9,9 205:15 working 12:17 13:12 14:5,5 16:2 17:6 18:11,15 20:7 23:24 25:4,19 26:6 33:21 34:9,17 44:16 51:20 52:25 54:14 61:20 70:21 73:22 78:6,23 85:4 91:13 92:15 94:17 95:4,6,12,14 101:12,19,20 102:2 108:4,12 126:20 127:9,11 134:21 142:11 144:24 154:8,20,23 155:9 155:11,12,16 176:9,18 200:12 202:20 works 22:6,8 111:15 128:14 130:5 world 94:6 97:23,24 139:22 worth 207:9 wouldn't 16:19 164:17 write 50:20 60:21 64:2 66:22 75:9 76:25 82:11 93:23 98:18 102:11 102:22 105:17 110:7 114:24	118:11,18 119:2 146:13 167:3,18 170:11 175:17 177:6 179:23 180:3 185:18 186:21 188:22 189:3 190:23 203:9 writes 106:16 116:22 164:21 177:7 187:13 188:19,20,21,22,25 189:23 191:18 192:15 193:8 writing 99:2 177:11 195:14,23 written 4:15 29:17 106:14 wrote 29:2 50:17 58:7 76:16 80:7 98:11 104:20 110:4 118:5 146:2,6 146:7,11 147:11,12 161:19 165:24 168:12 169:17 175:8 178:8 181:2 183:17 Wu 116:18 120:14,15,18 121:5 125:20 <hr/> X <hr/> X 1:3,11 71:8 211:2,7 <hr/> Y <hr/> Yacka 196:22 Yahoo 11:14 yeah 10:15 26:11 40:6 50:18 61:21 65:9 81:13 86:13,13 88:6 104:2 105:16 144:23 155:7 165:25 167:12,14 169:14 191:18 199:24 year 13:16 63:13 71:14 100:18 111:18,23 124:6 135:17 197:15 years 10:10 12:4 26:21 35:16 65:25 66:2,13 93:10 124:3 127:10,12,15 127:24 137:17 yellow/white 58:20 Yep 170:11 186:21 yesterday 177:6 York 1:2,20 2:5 5:20 210:23 212:5 <hr/> Z <hr/> zero 162:21 zoom 4:9 9:4 48:18 60:6 63:15 80:15 85:25 98:6 104:15 109:22 116:10 117:24 131:22 152:7 173:10 174:23 <hr/> 0 <hr/> 07068 2:10 <hr/> 1 <hr/> 1 13:22 49:9 75:7 96:2 118:5,22 121:17 125:15 132:11 140:9 211:9 1-800 12:19 1.6.1 86:19 93:4 1.6.2 167:18,23 168:9,12 171:13,17 173:4,18,20,24 1.6.4 173:12,19 1:00 151:11 1:23-cv-07987 1:6 1:28 179:22	10 80:19 118:3,4 211:18 10/15 137:17 10:00 1:12 10:20 175:8 10092 152:13 10095 175:4 104 211:15 109 211:16 11 80:8 94:14 131:25 135:12 165:12 172:2 211:19 11:32 170:11 11:35 80:3 110 141:3 11570 2:5 116 211:17 118 211:18 12 48:2,8,24 49:20 50:25 51:25 53:11,17 54:9,24 56:11,25 57:24 152:5 171:3 211:20 12:13 177:5 13 60:14 61:7 173:8 211:21 131 211:19 14 176:2,22,25 15 48:13 63:21 86:3 89:21 90:21 94:23 139:3 140:22 152 211:20 16 131:8 17 131:8 177:5 179:22 183:16,25 184:12,25 172 211:21 17348 98:14 211:14 17426 104:22 211:15 17801 110:6 211:16 18 98:12 101:11 102:20 104:20 105:15 18198 116:17 121:5 211:17 18444 118:8 211:18 18445 132:5 211:19 18447 138:4 18452 142:20 19 186:21 190:22 192:15 1990 9:23 <hr/> 2 <hr/> 2 59:25 60:4 211:10 2:19 182:6 183:17 2:21 185:19 20 83:15 95:4 110:5 111:25 147:16 193:8 195:3 203:9 20-plus 35:16 200 198:16 2010 11:17 2011 10:4 2018 137:18 2019 137:18 2021 174:14 2022 204:20 2023 14:11 17:6 25:17 137:20,23 165:12
--	--	--

2024 1:12 210:11,21 212:20 20th 110:23 21 141:14 23 13:17 16:6 24 1:12 88:13 210:11 24/7 108:4 25 80:20 81:14 25th 120:18 265 2:5 <hr/> 3 <hr/> 3 63:18 211:11 3:00 49:21 3:20 209:4 30 83:15 127:10,12,15,24 300 130:3 3073 60:16 211:10 3098 63:22 211:11 31 115:24 3128 80:10 211:12 3154 85:18 211:13 33 139:12 141:14 3PL 196:22 3PL's 185:14 <hr/> 4 <hr/> 4 80:13 211:12 45 11:20 48 138:24 139:12 140:21 141:9,14 49 211:9 <hr/> 5 <hr/> 5 85:23 175:22 211:5,13 50 2:5 45:18 134:23 165:5,18,22 167:8 55 138:18,24 141:5 <hr/> 6 <hr/> 6 98:9,15 211:14 6.4 173:19 6/17 181:19 182:6 186:14 60 126:18 211:10 63 211:11 6607 6:2 6th 36:23 192:17 199:5 <hr/> 7 <hr/> 7 104:18 211:15 75 2:10 173:2 211:21 78750 6:3 <hr/> 8 <hr/> 8 109:25 211:16 8:37 164:20 8:41 193:8 8:57 186:21 80 211:12 85 211:13 8935 48:25 211:9	8th 212:19 <hr/> 9 <hr/> 9 52:16 77:15 86:19 116:13,15 121:4 152:14 153:11 211:17 9:03 190:22 9:43 192:15 9:56 165:3 94 9:25 95 67:7,9 98 211:14 99 39:23 67:10 9mm 51:9	
--	--	--